ORGANIC LAW OF GEORGIA

LABOUR CODE OF GEORGIA

Section I

General Provisions

Chapter I – Introductory Provisions

Article 1 – Scope

1. This Law regulates labour and its concomitant relations in the territory of Georgia, unless they are otherwise governed by other special law or international agreements of Georgia.

2. Labour-related questions not governed by this Law or by other special law shall be regulated by the norms of the Civil Code of Georgia.

3. A labour agreement may not establish norms different from those provided for by this Law that can worsen employees' condition.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 2 – Labour relations

1. Labour relations shall be performance of work by an employee for an employer under organised labour conditions in exchange for remuneration.

2. Labour relations shall originate from agreements reached as a result of free expression of will based on equality of participants.

3. Labour and pre-contractual relations, including when publishing a vacancy notice and at a selection stage, shall prohibit any type of discrimination due to race, skin colour, language, ethnicity or social status, nationality, origin, material status or position, place of residence, age, sex, sexual orientation, marital status, disability, religious, public, political or other affiliation, including affiliation to trade unions, political or other opinions, or due to other reasons.

4. Discrimination shall be direct or indirect harassment of a person aimed at or resulting in impairing dignity of a person, and in creating an intimidating, hostile, humiliating, degrading, or abusive environment for him/her, and/or creating the circumstances for a person directly or indirectly causing their condition to deteriorate as compared to other persons in similar circumstances.

5. The necessity for differentiating between persons, that arises from the essence or specificities of the work or the conditions of its performance, serves to achieve a legitimate objective and is a proportionate and necessary means of achieving that objective, shall not be deemed discrimination.

6. Parties, when in labour relations, must safeguard the basic human rights and freedoms under the legislation of Georgia.

7. It shall be prohibited to terminate a labour agreement with an employee and/or treat him/her negatively and to influence him/her for the reason that the employee has filed an application or a complaint with an appropriate body or has cooperated with such a body to protect himself/herself from discrimination.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 4279 of 19 February 2019 – website, 25.2.2019

Article 3 – Subjects of labour relations

1. Subjects of labour relations shall be an employer or an employers' association and an employee or an employees' association established for the purposes of and under the procedure provided for by the Organic Law of Georgia on Trade Unions, and the Conventions No 87 and No 98 of the International Labour Organisation ('the Employees' Association').

2. An employer shall be a natural or a legal person, or an association of persons, for whom certain work is being performed, under a labour agreement.

3. An employee shall be a natural person performing certain work for an employer under a labour agreement.

4. An employer and an employee shall be the subjects of individual labour relations.

5. One or more employers or one or more employers' associations and one or more employees' associations shall be the subjects of collective labour relations.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 3826 of 30 November 2018 – website, 14.12.2018

Article 3^1 – (Deleted)

Organic Law of Georgia No 195 of 28 December 2012 – website, 30.12.2012

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Section II

Individual Labour Relations

Chapter II – Origination of Labour Relations

Article 4 – Minimum employment age and origination of legal capacity to enter into labour agreements

1. Legal capacity of natural persons to enter into a labour agreement shall originate at the age of 16.

2. Legal capacity of minors under 16 to enter into a labour agreement shall originate by consent of their legal representative or a custody/guardianship authority unless the labour relations contradicts minors' interests, prejudice their moral, physical and mental development, and limit their right and opportunity to acquire compulsory primary and basic education. Consent of the legal representative or custody/guardianship authority shall be valid with respect to similar type of subsequent labour relations as well.

3. A labour agreement with minors under 14 may be concluded solely in connection with the activities in sport, art, and culture, as well as for performing certain advertising work.

4. Concluding labour agreements with minors involving them in performing works related to gambling, nightclubs, preparation, transportation, and sale of erotic and pornographic products, as well as pharmaceutical and toxic substances, shall be prohibited.

5. Concluding labour agreements with minors, as well as with pregnant women or nursing mothers, to perform hard, harmful, or hazardous work shall be prohibited.

Article 5 – Pre-contractual relations and exchange of information before concluding labour agreements

1. An employer may obtain information about a candidate, except for the information which is not related to the performance of work and is not meant to evaluate the ability of a candidate to perform a specific work and to make an appropriate decision. Moreover, an employer may not request information from a candidate about his/her religion, faith, disability, sexual orientation, ethnic affiliation, or pregnancy, except when there is the necessity of differentiation under Article 2(5) of this Law.

2. A candidate shall be obliged to inform the employer about any circumstance that may impede his/her performance of work or endanger the interests of the employer or a third person.

3. Employers may verify the accuracy of information submitted by candidates.

4. The information obtained by an employer about the candidate and the information submitted by the candidate may not be available to other person without consent of the candidate, except as provided for by law.

5. A candidate may recall submitted documents if the employer has not concluded a labour agreement with him/her.

6. An employer shall be obliged to provide the candidate with the information about:

a) the work to be performed;

b) the form (written or oral) and the period (fixed-term or open-ended) of a labour agreement;

c) the working conditions;

d) the legal status of an employee in labour relations;

e) the remuneration of labour.

7. Pre-contractual relations with a candidate shall be deemed completed when the parties have concluded a labour agreement or when the candidate has been notified about refusing to employ him/her.

8. An employer shall not be obliged to justify its decision on refusing to employ the candidate.

9. In pre-agreement relations, before concluding a labour agreement, an employer shall let a candidate become familiar with the provisions defined by the legislation of Georgia regarding the principle of equal treatment between persons and its remedies, take measures for ensuring compliance of the principle of equal treatment between persons at a working area, and to include antidiscrimination provisions in the labour internal regulations, collective agreements and other documents, and ensure their observance.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 4279 of 19 February 2019 – website, 25.2.2019

Article 6 – Conclusion of labour agreements

1. A labour agreement shall be oral or written, fixed-term or open-ended.

1^1. A labour agreement shall be in writing, if labour relations last for more than three months.

1^2. Except when the term of a labour agreement is one year or longer, a labour agreement shall only be concluded for a fixed term if:

a) a specific amount of work is to be performed;

b) the seasonal work is to be performed;

c) the amount of work has temporarily increased;

d) an employee being temporarily absent from work due to suspended labour relations is replaced;

e) there are other objective circumstances justifying conclusion of a fixed-term agreement.

1^3. If a labour agreement has been concluded for more than 30 months, or if labour relations have continued on the basis of concluding fixed-term labour agreements for two or more consecutive times and the duration of the above labour relations exceeds 30 months, an open-ended labour agreement shall be deemed to have been concluded. Fixed-term labour agreements shall be deemed to have been consecutively concluded if the current labour agreement is prolonged upon the expiration of its term or the next fixed term labour agreement is concluded within 60 days after the initial agreement expires.

1^4. The restrictions imposed under this article on concluding fixed term labour agreements shall not apply to business entities under Article 2(1) of the Law of Georgia on Entrepreneurs if 48 months have not elapsed since their public registration (start-up enterprises) and if they meet the additional conditions (if any), as defined by the Government of Georgia on the condition that the duration of a fixed term labour agreement may not be shorter than three months for the purposes of this paragraph.

1^5. Paragraph 1^4 of this article shall not apply to a business entity established as a result of reorganisation through transfer of other business entity assets into ownership or their assignment for use or under a fraudulent agreement.

1^6. Except as provided for by paragraph 1^2(a-e) of this article, if labour relations have commenced within the 48-month period defined by paragraph 1^4 of this article, an open-ended labour agreement shall be deemed to have been concluded after the above period expires.

2. A written labour agreement shall be concluded in a language understandable to the parties. A written labour agreement may be concluded in several languages. If a written labour agreement is concluded in several languages, it must contain a clause specifying the language of the agreement to prevail in the case of discrepancy between provisions of the agreements.

3. The application of a person and the document issued by an employer on the basis of the application evidencing the employer's will to hire the person shall be equal to concluding a labour agreement.

4. At the request of an employee, the employer shall issue a notice of employment to include the details of the work performed, the labour remuneration, and the duration of the labour agreement.

5. A labour agreement may determine the internal regulations to be part of the agreement. In this case, the employer shall be obliged to make available the internal regulations (if any) and later any changes made into it, to the person for reading before concluding the labour agreement.

6. If several labour agreements are concluded with an employee that only supplement and do not entirely supersede one another, all the agreements shall be valid and shall be deemed as one labour agreement.

7. A preceding labour agreement shall remain valid inasmuch as its provisions are not changed by a subsequent agreement.

8. If several labour agreements have been concluded with an employee on the same terms, the agreement last concluded shall prevail.

9. The essential terms of a labour agreement shall be:

a) the date of work commencement and the duration of labour relations;

b) the work time and rest time;

c) the workplace;

d) the position and type of work to be performed;

e) the amount of labour remuneration and the payment procedure;

f) the procedure of compensating for overtime work;

g) the duration of paid and unpaid leaves of absence and the procedure for granting leaves of absence.

10. A condition in an individual labour agreement or in the document under paragraph 3 of this article that contradicts this Law o a collective agreement with the same employee shall be void, except when the individual labour agreement improves the condition of the employee.

(Article 6(1^1-1^3) of this Law shall apply to individual labour agreements and/or collective agreements concluded after this Law (No 729, 12.6.2013) enters into force. Regardless of the provisions of Article 6(1^3), an open-ended labour agreement with an employee working under a fixed-term labour agreement, whose labour relations with one employer has continued for 5 years or longer, shall be deemed to have been concluded under Article 6(1^3) one year after this Law (No 729, 12.6.2013) is enacted. If the labour relations of an employee with one employer have continued for a period shorter than 5 years, an open-ended labour agreement with the employee shall be deemed to have been concluded under Article 6(1^3) two years after this Law (No 729, 12.6.2013) enters into force.

Organic Law of Georgia No 729 of 12.6.2013 – website, 4.7.2013

Article 7 – Origination of labour relations

Labour relations shall originate from the moment of actual commencement of work by an employee, unless otherwise provided for by a labour agreement.

Article 8 – Limitations on concluding labour agreements for part-time jobs

1. Labour agreements for part-time jobs may be concluded with persons who can perform other paid work in their free time after fulfilling their main job duties.

2. The right of employees to perform other work may be limited under labour agreements if performing such other work may

prevent employees from fulfilling their main job duties and/or if the person, for whom the part-time work is to be performed, is a competitor to the main employer.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 9 – Trial period

1. For determining fitness of a person for the work to be performed, by agreement of the parties, a labour agreement with an employee may be concluded only once for a trial period of no more than six months. A labour agreement for a trial period shall be concluded only in writing.

2. The work during a trial period shall be payable. The amount of payment and the payment procedure shall be determined by the agreement of the parties.

3. An employer may, at any time during the trial period, conclude a labour agreement with the employee or terminate the labour agreement for a trial period.

4. The requirements of Article 38 of this Law shall not apply to termination of labour agreements for a trial period unless otherwise determined by the above labour agreements. If labour agreements for a trial period are terminated, the labour of employees shall be compensated in proportion to their time worked.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Chapter III – Work Performance

Article 10 – Duty to personally perform work

Employees shall be obliged to personally perform the work required. The parties may agree on performing work by a third person for a specified period.

Article 11 – Change of terms and conditions of labour agreements

1. An employer may, by notification to an employee, clarify certain details of work performance under a labour agreement, that do not change essential conditions of the agreement.

2. Essential conditions of a labour agreement may only be changed by the agreement of the parties. If the labour agreement includes no essential condition, it may be determined by consent of the employee.

3. Consent of an employee shall not be required for changing essential conditions in a labour agreement as a result of a change in legislation.

4. The following shall not be deemed a change of essential conditions of a labour agreement:

a) change by an employer of an employee's place of performing specified work, unless it takes the employee more than three hours a day from the place of residence to the new place of work and back by publicly accessible transport, and unless it results in disproportionate costs for the employee;

b) change in the time of starting or finishing work by maximum 90 minutes.

5. A simultaneous change in both of the circumstances under paragraph 4 of this article shall be deemed a change of essential conditions of a labour agreement.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 12 – Business trip

1. A business trip shall be a temporary change by an employer of an employee's place of work in the interests of the work.

2. Sending an employee on a business trip by an employer shall not be deemed as a change of essential conditions of a labour

agreement unless the period of a business trip exceeds 45 calendar days annually.

3. Exceeding the period under paragraph 2 of this article by an employer shall be deemed a change of essential conditions of a labour agreement.

4. An employer shall be obliged to fully compensate an employee for business trip costs.

5. The norms of this article shall apply unless a labour agreement determines otherwise.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 13 – Internal labour regulations

1. An employer may determine internal labour regulations and shall be obliged to communicate it to an employee.

2. Internal labour regulations shall be a written document to determine:

a) the duration of workweeks, the starting and finishing time of daily work, and the duration of shifts in the case of shift work;

b) the duration of breaks;

c) the time, place, and procedure of remuneration payment;

d) the duration of a paid leave of absence and the procedure for granting it;

e) the duration of an unpaid leave of absence and the procedure for granting it;

f) the rules for observing working conditions;

g) the types of incentives and liabilities and the procedure for their application;

h) the procedures for reviewing applications/complaints.

3. Based on work specificities, an employer may establish special procedures under internal labour regulations.

4. The provision of internal labour regulations contradicting an individual labour agreement or a collective agreement or this Law shall be void.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Chapter IV – Work, Break and Rest Time

Article 14 – Duration of working time

1. An employer shall determine the duration of working time not to exceed 40 hours a week; and the duration of working time in enterprises with specific operating conditions requiring more than eight hours of uninterrupted production/work process must not exceed 48 hours a week. The Government of Georgia shall compile a list of industries with specific operating conditions. Working time shall not include breaks and rest time.

1^1. If an employer's activities require 24 hours of uninterrupted production/work process, the parties may conclude a shift labour agreement considering the requirements of paragraph 2 of this article and containing the condition of granting the rest time to an employee adequate to the hours worked.

2. The duration of rest between working days (or shifts) must be at least 12 hours.

3. The duration of working time for minors from 16 to 18 years of age must be maximum 36 hours a week.

4. The duration of working time for minors from 14 to 16 years of age must be maximum 24 hours a week.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 15 – Working time for shift work

Shift work and switching from one shift to another shall be determined by a shift schedule approved by an employer, based on work specificities. The employee shall be notified about a change in the shift schedule at least 10 days in advance unless this is impossible to do due to an emergency need.

Article 16 – Procedure for summing up working time

A procedure for summing up working time may be introduced, if observing the duration of daily or weekly working time based on working conditions is impossible.

Article 17 – Overtime work

1. An employee shall be obliged to perform overtime work:

a) without remuneration for preventing natural disasters and/or eliminating their consequences;

b) with adequate remuneration for preventing industrial accidents and/or eliminating their consequences.

2. Employing pregnant women, women having recently given birth, persons with disabilities or minors to work overtime without their consent shall be prohibited.

3. Work shall be deemed overtime work when an employee works by agreement between the parties during the period exceeding 40 hours a week for adults, 36 hours a week for minors from 16 to 18 years of age, and 24 hours a week for minors from 14 to 16 years of age.

4. Overtime work shall be compensated by the hour based on increased pay rate. The amount of the above compensation shall be determined by agreement between the parties.

5. The parties may agree on granting additional time off to an employee to compensate overtime work.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 18 – Limitation on night jobs

Employing minors, pregnant women, women having recently given birth, or nursing mothers for a night job (from 22:00 to 6:00), as well as babysitters of children under the age of three, or persons with disabilities without their consent shall be prohibited.

Article 19 – Additional breaks for nursing mothers

1. Employees who are nursing mothers and with infants under 12 month may request an additional break of at least one hour a day.

2. A break for nursing shall be deemed working time and shall be paid.

Article 20 – Holidays

1. Holidays shall be:

a) January 1 and 2 – New Year holidays;

b) January 7 – Christmas Day, Birth of Our Lord Jesus Christ;

c) January 19 – Epiphany, Baptism of Our Lord Jesus Christ;

d) March 3 – Mother's Day;

e) March 8 – International Women's Day;

f) April 9 – the day of adopting the Act of Restoring Independence of Georgia; the day of national unity, national consent, and

commemoration of people who died for the national integrity of Georgia;

g) Easter holidays – Good Friday, Good Saturday, Easter Sunday – Resurrection of Our Lord Jesus Christ day, Easter Monday – All Souls' Day (movable feast);

h) May 9 – Victory Day over Fascism;

i) May 12 – Commemoration Day of St. Andrew the Apostle, Founder of the Apostolic Church of Georgia;

j) May 26 – Independence Day of Georgia;

k) August 28 – the Assumption of the Virgin Mary day ('Mariamoba')

l) October 14 – 'Mtskhetoba' (Holiday of Svetitskhovloba, Robe of Jesus)

m) November 23 – St. George's Day.

2. An employee may request other days off instead of the holidays under this Law to be defined by a labour agreement.

3. If an employee works during the holidays under paragraph 1 of this article, it shall be deemed overtime work and the terms for its compensation shall be determined by Article 17(4)(5) of this Law.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Chapter V – Leave

Article 21 – Duration of leaves

1. An employee shall have the right to enjoy a paid leave of absence of at least 24 working days annually.

2. An employee shall have the right to enjoy an unpaid leave of absence of at least 15 calendar days annually.

3. A labour agreement may define the terms and conditions different from those provided for by this article. The above terms and conditions must not worsen conditions of an employee.

4. If a labour agreement is terminated for any of the reasons under Article 37(1)(a, f-h, n) of this Law, an employer shall be obliged to compensate an employee for unused leave of absence in proportion to the duration of labour relations.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 22 – Procedure for granting leaves of absence

1. An employee shall have the right to request a leave of absence after having worked for 11 months. By agreement of the parties, an employee may be granted a leave of absence even before the above period elapses.

2. Beginning from a second year of work and by agreement of the parties, an employee may be granted a leave of absence at any time during the working year.

3. By agreement of the parties, a leave of absence may be used in parts.

4. Leaves of absence shall not include a period of temporary disability, maternity and child care leave, leave due to adoption of a new-born and any extra child care leave.

5. Unless otherwise provided for by a labour agreement, an employer may determine the sequence of granting paid leaves of absence to employees.

Article 23 – Duty to notify employers before taking unpaid leaves of absence

When taking an unpaid leave of absence, an employee shall be obliged to notify the employer at least two weeks in advance of taking the leave, except when notification is impossible due to urgent medical or family circumstances.

Article 24 – Origination of the right to request a leave of absence

1. The period for calculating origination of the right to request a leave of absence shall include the time actually worked by an employee, as well as idle time through the employer's fault.

2. The period for calculating origination of the right to request a leave of absence shall not include the time of an employee's absence from work without a good reason or the time of being on unpaid leave for more than seven working days.

Article 25 – Exceptional cases of carrying over paid leaves

1. If granting an employee a paid leave of absence for the current year may affect the normal course of work, the leave may be carried over to the next year by consent of the employee. Carrying over of a minor's paid leave of absence to the next year shall be prohibited.

2. Carrying over paid leaves of absence for two consecutive years shall be prohibited.

Article 26 – Leave pay

An employee's leave pay shall be determined by the average pay for the previous three months. If the time worked from beginning to work or after the last leave is less than three months, then leave pay shall be determined by the average pay of months worked, and in the case of fixed monthly payment, it shall be determined by the last month's payment.

Article 26^1 – Extra leave of absence for employees working under harsh, harmful, or hazardous labour conditions

An employee working under harsh, harmful, or hazardous labour conditions shall be granted an extra paid leave of absence of 10 calendar days annually.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Chapter VI – Maternity, Child Care, New-born Adoption, and Extra Maternity or Child Care Leaves of Absence

Article 27 – Maternity and child care leave of absence

1. At employees' request, they shall be granted maternity and child care leave of absence in the amount of 730 calendar days.

2. 183 calendar days of maternity leave and child care leave of absence shall be paid. 200 calendar days shall be paid in the event of pregnancy complications or multiple births.

3. Employees may distribute leaves of absence under paragraph 2 of this article at their discretion for the prenatal and postnatal periods.

Organic Law of Georgia No 1393 of 27 September 2013 – website, 9.10.2013

Article 28 – Leaves of absence for adopting new-born

At the request of employees having adopted an infant under 12 months, they shall be granted new-born adoption leaves of absence of 550 calendar days from the day of birth of the child. 90 calendar days of the leave shall be paid.

Organic Law of Georgia No 1393 of 27 September 2013 – website, 9.10.2013

Article 29 – Compensation of maternity and child care leave and new-born adoption leave of absence

Maternity and child care leave and new-born adoption leave of absence shall be paid from the State Budget of Georgia as determined by the legislation of Georgia. Cash allowance for the period of paid maternity and child care leave of absence, as well

as for new-born adoption leave of absence shall be a maximum of GEL 1000. Employers and employees may agree on extra pays.

Organic Law of Georgia No 1393 of 27 September 2013 – website, 9.10.2013

Article 30 – Additional child care leave of absence

1. At the request of employees, they shall be granted, at once or in parts but at least two weeks a year, an additional unpaid child care leave of absence of 12 weeks until the child turns five.

2. Additional child care leave of absence may be granted to any person who actually takes care of the child.

Chapter VII – Labour Remuneration

Article 31 – Form and amount of remuneration, time and place of payment

1. A labour agreement shall determine the form and amount of remuneration. The norms of this article shall apply unless otherwise provided for by a labour agreement.

2. Remuneration shall be paid once a month.

3. An employer shall be obliged to pay an employee 0.07 per cent of the delayed sum for each day of any delayed compensation or payment.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 32 – Remuneration for idle time

1. Unless otherwise defined by a labour agreement, an employee shall be fully remunerated for the idle time through the fault of an employer.

2. Idle time through the fault of an employee shall not be remunerated.

Article 33 – Deduction from remuneration

1. An employer may deduct from an employee's remuneration overpayments or any other sum payable by the employee to the employer under labour relations.

2. Total amount of a lump-sum deduction from remuneration must not exceed 50 per cent of the remuneration.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 34 – Final settlement in case of terminating labour relations

When labour relations are terminated, an employer shall be obliged to make final settlement to an employee no later than seven calendar days, unless otherwise defined by a labour agreement or law.

Chapter VIII – Observance of Working Conditions

Article 35 – Right to safe and healthy working environment

1. Employers shall be obliged to provide employees with a working environment that is maximally safe for the life and health of the employees.

2. Employers shall be obliged to provide employees, within reasonable time, with full, objective, and comprehensive information

available on all factors affecting employees' life and health or safety of the natural environment.

3. Employees may refuse to perform the work, assignment, or instruction that contradicts law or, due to the lack of occupational safety standards, obviously and substantially endangers their or third person's life, health, property, or the safety of the natural environment. Employees shall be obliged to immediately inform the employer of a circumstance being the reason for refusing to fulfil their obligations under a labour agreement.

4. Employers shall be obliged to introduce a preventive system ensuring labour safety and timely provide employees with relevant information about labour safety-related risks and measures for preventing the risks. Additionally, employers shall inform employees about the rules for handling the dangerous equipment and, if necessary, provide employees with personal protective equipment. Along with technological progress, employers shall timely replace hazardous equipment with safe or less hazardous equipment, as well as shall take all other reasonable steps for employees' safety and for protecting their health.

5. An employer shall be obliged to take every reasonable step to timely localize and liquidate the effects of an industrial accident, to administer first aid, and to implement evacuation.

6. Employers shall be obliged to fully compensate employees for a work-related injury and loss caused by deteriorating employees' health and for costs of treatment required.

7. Employers shall be obliged to prevent pregnant women from performing work endangering their or their feti's well-being, physical, or mental health.

8. The legislation of Georgia shall provide a list of hard, harmful, and hazardous jobs, labour safety regulations, including the cases and the procedure for employees' mandatory periodic medical check-ups at the employer's expense.

Chapter IX – Suspension of Labour Relations and Termination of Labour Agreements

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 36 – Suspension of labour relations

1. Suspension of labour relations shall be a temporary non-performance of the work under a labour agreement, not resulting in termination of labour relations.

2. Grounds for suspending labour relations shall be:

a) a strike;

b) a lockout;

c) exercising active and/or passive suffrage;

d) appearance before an investigative, prosecuting, or judicial body in the cases provided for by the procedural legislation of Georgia;

e) call to compulsory military service;

f) call to military reserve service;

g) maternity and child care leave, a new-born adoption leave of absence, or a child care additional leave of absence;

h) placing a victim of violence against women and/or domestic violence in a shelter and/or a crisis centre for a maximum of 30 calendar days annually, if he/she is unable to discharge his/her official duties anymore;

i) temporary disability, unless the disability period exceeds 40 consecutive calendar days, or the total disability period exceeds 60 calendar days in six months;

j) qualification upgrading, professional training, or education not exceeding 30 calendar days annually;

k) unpaid leave of absence;

l) paid leave of absence.

3. If an employee requests suspension of labour relations on the grounds under paragraph 2 of this article (except for subparagraph

(b)), an employer shall be obliged to suspend labour relations for a reasonable period. Labour relations shall be deemed suspended after submitting the above request until the respective grounds for suspension are eliminated.

4. If labour relations are suspended, except as provided for by paragraph 2(f)(l) of this article, an employee shall not be paid unless otherwise provided for by the legislation of Georgia or by a labour agreement.

5. Expenses related to appearing before an investigative, prosecuting, or judicial authority in the cases provided for by the procedural law of Georgia shall be covered from the State Budget of Georgia as determined by the legislation.

6. (Deleted – 12.6.2013, No 729).

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 784 of 14 May 2017 – website, 25.5.2017

Article 37 – Grounds for terminating labour agreements

1. Grounds for terminating labour agreements shall be:

a) economic circumstances, technological, or organisational changes requiring downsizing;

b) expiration of a labour agreement;

c) completion of the work under a labour agreement;

d) voluntary resignation of an employee from a position/work under a written application;

e) written agreement between parties;

f) incompatibility of an employee's qualifications or professional skills with the position held/work to be performed by the employee;

g) gross violation by an employee of his/her obligations under an individual labour agreement or a collective agreement and/or of internal labour regulations;

h) violation by an employee of his/her obligations under an individual labour agreement or a collective agreement and/or of internal labour regulations, if any of the disciplinary actions under the above individual labour agreement or collective agreement and/or internal labour regulations has already been administered to the employee during the last year;

i) long-term disability, unless otherwise provided for by a labour agreement, if a disability period exceeds 40 consecutive calendar days or total disability period exceeds 60 calendar days within six months, and, at the same time, the employee has already used his/her leave of absence under Article 21 of this Law;

j) entry into force of a court judgement or decision precluding from performing the work;

k) legally effective court decision on declaring a strike illegal under Article 51(6) of this Law;

l) death of an employing natural person or of an employee;

m) initiation of liquidation proceedings for an employing legal person;

n) other objective circumstance justifying termination of a labour agreement.

2. Violation of an obligation under the internal labour regulations provided for in paragraph 1(g)(h) of this article may serve as a basis for terminating a labour agreement only when the internal labour regulations are an integral part of the labour agreement.

3. Terminating labour relations shall be inadmissible:

a) on the grounds other than those laid down in paragraph 1 of this article;

b) on discrimination grounds under Article 2 of this Law;

c) during the period under Article 36(2)(g) of this Law from notification to the employer from a female employee about her pregnancy, except for the grounds under paragraph (1)(b-e, g, h, j, l) of this article;

d) due to an employee being called to compulsory military service or military reserve service and/or during an employee's period of compulsory military service or military reserve service, except for the grounds under paragraph(1)(b-e, g, h, j, l) of this article;

e) during the period of being a jury in court, except for the grounds under paragraph (1)(b-e, g, h, j, l) of this article.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 38 – Procedure for terminating labour agreements

1. When terminating a labour agreement on any of the grounds under Article 37(1)(a, f, i, n) of this Law, employers shall be obliged to notify employees about it in writing at least 30 calendar days in advance. Besides, employees shall be granted a severance pay in the amount of at least one month's salary within 30 calendar days after terminating the labour agreement.

2. When terminating a labour agreement on any of the grounds under Article 37(1)(a, f, i, n) of this Law, employers may notify employees about it in writing at least three calendar days in advance. In this case, employees shall be granted a severance pay in the amount of at least two months' salary within 30 calendar days after terminating the labour agreement.

3. If a labour agreement is terminated on the initiative of an employee on the grounds under Article 37(1)(d) of this Law, the employee shall be obliged to notify the employer about it in writing at least 30 calendar days in advance.

4. Within 30 calendar days after receiving an employer's notification about terminating a labour agreement, an employee may request the employer a written substantiation of the grounds for terminating the labour agreement.

5. An employer shall be obliged to provide a written substantiation of the grounds for terminating a labour agreement within seven calendar days after submitting the request by an employee.

6. Within 30 calendar days after receiving an employer's written substantiation, an employee may appeal in court against the employer's decision on terminating the labour agreement.

7. If an employer fails to provide a written substantiation of the grounds for terminating a labour agreement within seven calendar days after an employee submits the request, the employee may appeal in court against the employer's decision on terminating the labour agreement within 30 calendar days. In this case, the burden of proof for determining facts of the dispute shall lie on the employer.

8. If employer's decision on terminating the labour agreement is declared void by the court, the employer shall be obliged, under the court decision, to reinstate the person whose labour agreement was terminated, or to provide the person with an equal job, or pay compensation as defined by the court.

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Article 38^1 – Massive layoffs

1. If at least 100 employees' labour agreements are terminated within 15 calendar days on the grounds under Article 37(1)(a) of this Law (massive layoffs), employers shall be obliged to notify the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health, and Social Affairs of Georgia in writing and the employees whose labour agreements are terminated, at least 45 calendar days before the massive layoffs.

2. The notification periods under Article 38(1) and (2) of this Law shall not apply in the case provided for in paragraph 1 of this article.

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Organic Law of Georgia No 3114 of 5 July 2018 – website, 11.7.2018

Article 39 – Termination of labour agreements with minors

Legal representatives of minors or custody/guardianship authorities may request for termination of a labour agreement with minors, if continuing work endangers the life, health, or other significant interests of minors.

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Article 40 – Unintentional continuation of work

If the term of a labour agreement has expired but, based on the work specifics, immediate termination of work can substantially prejudice and endanger human health, employees shall be obliged to continue working until the end of the above situation and employers shall be obliged to pay remuneration to employees.

Chapter IX[1] – Freedom of Association

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 40[1] – General provisions

1. Employees and employers may form associations and/or join other associations without any preliminary permission.

2. Employers' associations and employees' associations may develop their own charters and regulations, establish management bodies, elect representatives, and administer their activities.

3. Employers' associations and employees' associations may form federations and confederations and may join them. Each association, federation, and confederation may join an international employers' association and an international employees' association.

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Article 40[2] – Prohibition of discrimination

1. It shall be prohibited to discriminate against employees for being members of an employees' association or for participating in the activities of a similar association, and/or to perform any other act aiming at:

a) hiring employees or retaining jobs for them in exchange for their refusal to join or to withdraw from the employees' association;

b) terminating labour relations with or otherwise persecuting employees for being members of an employees' association or for participating in the activities of a similar association.

2. Employees may participate in the activities of an employees' association during working hours by agreement with employers.

3. The burden of proof for the claim submitted in the case provided for by paragraph (1)(b) of this article and/or on the grounds under Article 37(3)(b) of this Law shall lie on employers if employees allege the circumstances providing a reasonable cause to believe that employers acted in breach of the requirement(s) of paragraph (1)(b) of this article and/or Article 37(3)(b) of this Law.

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Article 40[3] – Prohibition of interference in the activities of employers and employees' associations

1. Employers and employees' associations, their members or representatives may not interfere in each other's activities.

2. For the purposes of this article, interfering in the activities of an association implies any act aimed at impeding the association activities through financial or other means for exercising control over it.

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Section III

Collective Labour Agreements

Chapter X – Collective Agreements

Article 41 – General provisions

1. A collective agreement shall be concluded between one or more employers, or one or more employers' associations and one or more employees' associations.

2. A collective agreement shall:

a) establish working conditions;

b) regulate relations between an employer and an employee;

c) regulate relations between one or more employers, or one or more employers' associations and one or more employees' associations.

3. Parties shall establish conditions of a collective agreement on their own.

4. When one of the parties comes up with an initiative to conclude a collective agreement, the parties shall be obliged to bargain collectively in good faith.

5. When bargaining collectively, the parties shall provide each other with information on the issue(s) of the bargain. A party may not give the other party confidential information, but when providing confidential and/or other information, the party may require keeping the information confidential.

6. The state or local self-government bodies shall not interfere in the process of concluding a collective agreement. An agreement concluded as a result of similar interference shall be void.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 42 – Representation

1. When concluding or terminating a collective agreement or changing its conditions, or for protecting the rights of employees, an employees' association shall act through its representatives.

2. Representation shall be confirmed by a written power of attorney signed by the employees concerned and by the person vested with the right of representation.

3. A representative may be any legally capable natural person.

4. A representative shall act in the interests of those employees only, who granted him/her the right of representation.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 43 – Collective agreements

1. A collective agreement shall be concluded only in writing.

2. A collective agreement shall be fixed-term or open-ended.

3. A fixed-term collective agreement must specify its effective date and expiry date.

4. An open-ended collective agreement must contain clauses for its revision, modification, and termination.

5. Existence of a collective agreement shall not limit employers' or employees' right to terminate labour relations. That fact shall not entail termination of labour relations with other employees being parties to the same agreement.

6. A collective agreement must specify the subjects of the agreement.

7. Obligations under a collective agreement shall apply to the parties to the agreement. If a collective agreement is concluded between an employer and one or more employees' associations, and over 50 per cent of the above enterprise employees are members of such one or more employees' associations, then any other employee of the same enterprise may request the employer in writing that he/she also becomes a party to that collective agreement. An employer shall be obliged to grant the above written request within 30 calendar days after receiving it. The provisions of this paragraph shall not prohibit any other employees' association with less than 50 per cent of the above enterprise employees from separately negotiating with the employer and from concluding a separate collective agreement.

8. Provisions of a collective agreement shall be an integral part of individual labour agreements of employees under this agreement.

9. Provisions of a collective agreement contradicting this Law shall be void.

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Section IV

Liability and Disputes

Chapter XI – Liability

Article 44 – Material liability for damage inflicted

In labour relations, the damage inflicted by one party to the other shall be reimbursed as determined by the legislation of Georgia.

Article 45 – Written agreements on liability

1. A written agreement may define the type and extent of an employee's individual responsibility, if it arises from the work specificities.

2. A written agreement on full material liability may be concluded with an adult employee who is in charge of storing, processing, selling (transferring), transporting, or using in production process valuables transferred to him/her.

Article 46 – Limitations under labour agreements

1. (Deleted – 12.6.2013, No 729).

2. (Deleted – 12.6.2013, No 729).

3. A labour agreement may impose an employee's obligation not to use the knowledge and skills acquired in the course of fulfilling the conditions of the labour agreement in favour of other competing employer. That limitation may be extended to six more months after terminating labour relations on condition that during the limitation period the employer shall pay the employee a compensation of at least the amount that the employee was paid at the moment when labour relations were terminated.

4. The limitation under paragraph 3 of this article may not be imposed on persons engaged in educational, scientific, and cultural activities.

5. A damage inflicted by violating the requirements of this article shall be reimbursed as determined by the legislation of Georgia.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Chapter XII – Disputes

Article 47 – Disputes

1. A dispute shall be a disagreement having arisen during the course of labour relations. The resolution of disputes shall fall within legal interests of the parties to a labour agreement.

2. A dispute shall arise from a written notice of disagreement sent by one party to the other.

3. A dispute in labour relations may arise on the basis of:

a) violation of human rights and freedoms under the legislation of Georgia;

b) violation of the conditions of an individual labour agreement or a collective agreement, or violation of labour conditions;

c) a disagreement between an employer and an employee over the essential conditions of an individual labour agreement and/or conditions of a collective agreement; the disagreement must be resolved in compliance with the conciliation procedures under Articles 48 and 48^1 of this Law.

4. (Deleted – 12.6.2013, No 729).

5. Reviewing a dispute shall not entail suspending labour relations.

6. A dispute having arisen during individual labour relations must be resolved according to the conciliation procedures under Article 48 of this Law and/or by referring to court or arbitration.

6^1. A dispute having arisen during collective labour relations must be resolved according to the conciliation procedures under Article 48^1 of this Law and/or by referring to court or arbitration.

7. In the case of a current dispute, an employee being a party to a collective agreement may individually protect his/her rights with respect to other specific issue.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 48 – Review and resolution of individual disputes

1. An individual dispute must be resolved under conciliation procedures between the parties; this implies direct negotiations between an employee and an employer.

2. A party shall notify the other party in writing about initiating the conciliation procedures. The notification must specify the grounds for the arisen dispute and claims of the party.

3. The other party shall be obliged to review the written notification under paragraph 2 of this article and inform the party of its decision in writing within 10 calendar days after receiving the notification.

4. Representatives or parties shall make a decision in writing that shall become a part of the existing labour agreement.

5. If the parties fail to reach an agreement over the dispute within 14 calendar days after receiving the written notification under paragraph 2 of this article, a party may refer the dispute to the court.

6. If a party avoided participating in the conciliation procedures within 14 calendar days after receiving the written notification under paragraph 2 of this article, the burden of proof for determining the facts of the dispute shall lie on that party.

7. Parties may agree to refer a dispute to arbitration.

8. When a dispute is pending, increasing the claim or changing the subject of the dispute by the parties shall be inadmissible.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 48^1 – Review and resolution of collective disputes

1. A collective dispute (dispute between an employer and a group of employees or an employer and an employees' association) must be resolved under conciliation procedures between the parties. This implies direct negotiations between an employer and a group of employees (at least 20 employees) or an employer and an employees' association, or mediation, if one of the parties has sent a written notification to the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health, and Social Affairs of Georgia ('the Minister').

2. A party shall notify the other party in writing about initiating conciliation procedures. The notification must specify the reason for arising the dispute and claims of the party.

3. For reaching agreement at any stage of negotiations, a party may apply to the Minister in writing for appointing a dispute mediator for initiating mediation. The written notification shall be delivered to the other party to the dispute on the same day.

4. Based on the received written notification under paragraph 3 of this article, the Minister shall appoint a dispute mediator according to the procedure for reviewing and resolving collective disputes under conciliation procedures approved by a normative act of the Government of Georgia. In the case of high public interest, the Minister may appoint a dispute mediator at any stage of

the dispute without written application of a party. The fact of appointment shall be notified in writing to the parties involved.

5. The Minister may make a decision at any stage of the dispute to terminate conciliation procedures.

6. Parties shall be obliged to participate in conciliation procedures and attend meetings held by the dispute mediator for that purpose.

7. If the Minister so requests, the dispute mediator shall be obliged to send him/her a report on the dispute.

8. Parties may agree at any stage of a dispute to refer the dispute to arbitration.

9. A dispute mediator shall be obliged not to disclose the information or the document he/she becomes aware of as a dispute mediator.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 3114 of 5 July 2018 – website, 11.7.2018

Article 49 – Strike and lockout

1. A strike shall be an employee's temporary and voluntary refusal, in the case of a dispute, to fulfil, wholly or partially, the obligations under a labour agreement. The persons identified by the legislation of Georgia may not participate in a strike.

2. A lockout shall be an employer's temporary and voluntary refusal, in the case of dispute, to fulfil, wholly or partially, the obligations under a labour agreement.

3. In the case of a collective dispute, the right to strike and lockout shall arise upon the expiration of 21 calendar days after notifying the Minister in writing under Article 48^1(3) of this Law or after appointing a dispute mediator by the Minister on his/her initiative under Article 48^1(4) of this Law.

4. In the case of an individual dispute, the parties must notify each other in writing about the time, place, and type of a strike or a lockout at least three calendar days before the strike or the lockout starts.

5. In the case of a collective dispute, the parties must notify each other and the Minister in writing about the time, place, and type of a strike or a lockout at least three calendar days before the strike or the lockout.

6. During a strike or a lockout, the parties shall be obliged to carry on with conciliation procedures.

7. No lockout may last for more than 90 calendar days.

8. During a strike or a lockout, an employer shall not be obliged to pay an employee.

9. A strike or a lockout shall not be a basis for terminating labour relations.

Organic Law of Georgia No 6537 of 22 June 2012 – website 4.7.2012

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 50 – Postponement or suspension of strike or lockout

If human life and health, safety of the natural environment, or a third person's property, or the work of a vital importance is in danger, the court may postpone the start of a strike or a lockout for a maximum of 30 days, or suspend a started strike or lockout for the same period.

Article 51 – Illegal strike and lockout

1. During the martial law or state of emergency, the right to strike or the right to lockout may be limited by a decree of the President of Georgia, which requires a countersignature of the Prime Minister of Georgia.

2. The right to strike cannot be exercised during the working process by the employees whose work activity is connected with safety of human life and health, or if the activity cannot be suspended due to the type of a technological process.

3. If one of the parties has avoided participating in conciliation procedures or has staged a strike or a lockout, the strike or the

lockout shall be deemed illegal.

4. (Deleted – 12.6.2013, No 729).

5. (Deleted – 12.6.2013, No 729).

6. The court shall make a decision to declare a strike or a lockout illegal that shall be promptly notified to the parties involved. A court decision on declaring a strike or a lockout illegal shall be executed without delay.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 1151 of 20 September 2013 – website, 8.10.2013

Organic Law of Georgia No 3378 of 5 September 2018 – website, 21.9.2018

Article 52 – Guarantees of employees

1. Participation of an employee in a strike may not be deemed a violation of labour discipline and may not serve as a basis for terminating a labour agreement, except when a strike is illegal.

2. If the court has declared a lockout illegal, the employer shall be obliged to restore labour relations with employees and pay them for idle working hours.

3. Employees who did not participate in a strike but could not perform their work because of the strike may be transferred to othe work by the employer or be paid for the period suspended, based on the hourly rate of work.

4. (Deleted – 12.6.2013, No 729).

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Section IV[1]

Tripartite Social Partnership Commission

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Chapter XII[1] – Tripartite Social Partnership Commission

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 52[1] – General provisions

1. A Tripartite Social Partnership Commission ('the Tripartite Commission') shall be a consultative body accountable to, the Chairperson of the Tripartite Commission, the Prime Minister of Georgia.

2. The Tripartite Commission shall conduct its activity according to the Constitution of Georgia, international agreements of Georgia, laws of Georgia, resolutions of the Parliament of Georgia, decrees and edicts of the President of Georgia, resolutions and directives of the Government of Georgia, orders of the Prime Minister of Georgia, and other legal acts.

3. Parties to the Tripartite Commission shall be the Government of Georgia, employers' associations and employees' associations acting in various sectors across the country.

4. In the Tripartite Commission each party shall have 6 members who may represent different organisations. The Chairperson of the Tripartite Commission shall decide on admitting representatives of the above organisations to the composition of the Tripartite Commission.

5. Each employers' association and employees' association being a party to the Tripartite Commission shall make a decision on selecting their own representatives to nominate them for members of the Tripartite Commission.

6. The persons authorised to represent parties shall be nominated for members of the Tripartite Commission. Each nominee, in

their turn, shall nominate the remaining 5 members of the Tripartite Commission to the Chairperson of the Commission.

7. The Government of Georgia, along with the Chairperson of the Tripartite Commission, shall be represented in the Commission by top officials of the following government agencies:

a) Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health, and Social Affairs of Georgia;

b) Ministry of Justice of Georgia;

c) Ministry of Economy and Sustainable Development of Georgia;

d) Ministry of Regional Development and Infrastructure of Georgia;

e) Ministry of Education, Science, Culture and Sport of Georgia.

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Organic Law of Georgia No 3114 of 5 July 2018 – website, 11.7.2018

Article 52^2 – Social partnership and principles of the Tripartite Commission activity

1. Social partnership shall be a system of dialogue and interaction between the representatives of social partners – an employer (employers' association), an employee (employees' association), and a government agency in connection with labour relations issues.

2. Activities of the Tripartite Commission shall be based on the following principles:

a) equality and independence of the parties;

b) respect for the interests of a social partner;

c) coordination and responsibility;

d) awareness;

e) performance of obligations;

f) tripartism;

g) consensus.

3. Social partnership may be developed on national, sectoral, territorial, corporate, or other organisational levels.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 52^3 – Functions of the Tripartite Commission

Functions of the Tripartite Commission shall be:

a) facilitating the development of social partnership and social dialogue at all levels in the country between employees, employers and the Government of Georgia;

b) drafting proposals and recommendations on different issues in labour and other concomitant relations.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Article 52^4 – Rights of the Tripartite Commission

1. For discharging its functions within its competence, the Tripartite Commission may:

a) review issues raised by parties as determined by the legislation of Georgia;

b) hear information of parties on issues falling within its competence at the sessions of the Tripartite Commission;

c) request from executive and local self-government bodies, as well as from other agencies, the materials required for the Tripartite Commission to review issues, as determined by the legislation of Georgia;

d) invite, if necessary, as determined by the legislation of Georgia, the representatives from different agencies, specialists, and experts of the respective fields for drafting appropriate proposals and recommendations; conflict of interest must be excluded when inviting the above persons;

e) draft and submit proposals on issues falling within its competence to interested persons.

2. The tenure of members of the Tripartite Commission shall be one year. A new composition of the Tripartite Commission shall be determined before the tenure of previous composition expires.

3. The statute of the Tripartite Commission determining the composition, structure, and rules of operation, as well as the procedure for approving its composition shall be approved by an ordinance of the Government of Georgia.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Section V

Transitional and Final Provisions

Chapter XIII – Transitional and Final Provisions

Article 53 – Application of the Law to existing labour relations

This Law shall apply to the existing labour relations regardless of time of their origin.

Article 54 – Measures to be implemented in connection with the entry of this Law into force

1. The Ministry of Labour, Health, and Social Affairs of Georgia shall draft and approve:

a) the procedure for payment of maternity and child care leave, as well as newborn adoption leave – within two months after the entry of this Law into force;

b) the list of hard, harmful, and hazardous jobs, as well as the list of instances and procedures for the compulsory periodic medical examination of employees at the employer's expense – before 1 July 2007;

c) the statute of Legal Entity under Public Law – the National Social Allowance and Employment Agency ('the Agency') – within three months after the entry of this Law into force;

d) the procedure for maintaining state register of private employment agencies – within six months after the entry of this Law into force. A private employment agency shall be a natural or a legal person under private law rendering services for employing an unemployed (a job-seeker). For the purposes of this provision, an unemployed (a job-seeker) shall be a person of working age capable or partially capable of work that does not have a job, is seeking for job and is ready to work, as defined by the legislation of Georgia;

e) the list of activities related to the safety of human life and health – before 1 November 2013.

2. Order No 85/ნ by the Minister of Labour, Health, and Social Affairs of Georgia of 15 March 2006 on Approval of the Procedure for Assignment and Payment of Temporary Disability and Maternity Allowances shall be effective until the procedure for payment of maternity and new-born adoption leaves of absence is approved under this Law.

3. Order No 12/ნ by the Minister of Labour, Health, and Social Affairs of Georgia of 17 January 2005 on Approval of the Statute of the Legal Entity under Public Law (LEPL) – the National Social Allowance and Employment Agency shall be effective until the new statute of the Agency is approved under this Law.

4. The Ministry of Labour, Health, and Social Affairs of Georgia shall exercise state control over a LEPL – the National Social Allowance and Employment Agency.

5. The Minister of Labour, Health, and Social Affairs of Georgia shall appoint and dismiss the head of LEPL – the National Social

Allowance and Employment Agency.

6. The LEPL – the National Social Allowance and Employment Agency shall ensure the payment of unemployment benefits payable only before the day this Law enters into force.

7. The Ministry of Labour, Health, and Social Affairs of Georgia shall be assigned to approve the procedure for registering the unemployed and implementing measures to facilitate their employment. For the purposes of this provision, an unemployed shall be a person of working age capable or partially capable of work, who does not have a job, is seeking for job and is ready to work, a defined by the legislation of Georgia

8. The LEPL – the National Social Allowance and Employment Agency under the state control of the Ministry of Labour, Health and Social Affairs of Georgia shall be re-organised into a state sub-agency – the Agency for Social Subsidies, and shall be deemed a legal successor of the LEPL – the National Social Allowance and Employment Agency, including in property relations, as well as shall be deemed a legal successor of the LEPL – the State United Social Insurance Fund under the state control of the Ministry of Labour, Health, and Social Affairs of Georgia with respect to payment of state pensions, state compensations, state academic scholarships, occupational injury allowance maternity allowance, monetary social allowance (benefit) to various social categories, as defined by the legislation of Georgia.

9. Article 27(1)(2), Articles 28 and 29 of this Law shall apply to the employees who take maternity and child care leave and newborn adoption leave of absence from 1 January 2014.

Organic Law of Georgia No 729 of 12 June 2013 – website, 4.7.2013

Organic Law of Georgia No 1393 of 27 September 2013 – website, 9.10.2013

Article 55 – Entry of this Law into force

This Law shall enter into force upon promulgation.

President of Georgia **Mikheil Saakashvili**

Tbilisi

17 December 2010

No 4113-რს