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Parliament of Georgia adopted the new law on Labor Inspection

On 5 October 2020, new law of Georgia on Labor Inspection was published on the website of the Legislative Herald of Georgia.

- ▶ The aim of the law is to extend the scope of labor supervisory body from the field of labor safety to the full range of labor/employment rights.
- ▶ The cornerstone of the new law is the ILO approach to Strategic Compliance Planning for Labor Inspectorates. The model entails achieving compliance through proactive steps, including the use of enforcement mechanisms.
- ▶ Pursuant to the law Labor Inspectorate conducts its activities based on the following principles: Objectiveness, Impartiality, Legality, Professionalism and Protection of Confidentiality.
- ▶ Law defines the status of Labor Inspectorate and sets out scope of its activities as well its professional guarantees. Pursuant to the law, Labor Inspector is a public servant and therefore the issues of appointment, status, social guarantees and remuneration is governed by the Georgian law on Public Service.
- ▶ Labor Inspector initiates relevant proceedings based on the complaint of an interested party or on its own initiative. The Labor Inspectorate does not require advance court permission and is authorized, without prior notice, to check any work space subject to inspection, at any time of day or night, inspect, examine and check the work space, which is necessary to ensure effective implementation and application of labor safety norms.
- ▶ Law separately regulates conflicts of interests and confidentiality. Rules on conflicts of interests prohibit Labor Inspectors to take part in the proceeding in which they have personal interests. In this case, Labor Inspector is obliged to inform his/her supervisor. Rules on confidentiality protect the source of the complaint initiated in the Labor Inspectorate.
- ▶ Labor Inspectorate is authorized to use following types of sanctions: warning, monetary fine and suspension of activities. Labor Inspectorate has a discretionary power to decide what type of a sanction to use in each specific case. Law only requires that sanctions imposed be proportional to the misdemeanor.

Law became effective upon its publication.

Source and date of publication: Legislative Herald of Georgia, 05.10.2020.

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