

LAW OF GEORGIA LABOR SAFETY

2023

Georgian Parliament has adopted a Law on Labor Safety to define basic requirements and preventive measures in terms of workplace safety for employees. This law regulates the rights, obligations and responsibilities of state bodies, employers, employees, and employee representatives, as well as other individuals in the work area, who are related to the creation of safe and healthy work environment.

recruitment.growmo.re

Purpose of this law is to define general principles of basic requirements and preventive measures that are related to occupational safety and health (OSH) at workplace, the existing and anticipated risks, prevention of accidents and occupational diseases, training, informing, and consulting of the employees, their equal engagement in the occupational health and safety protection issues. This law shall apply, in the field of labour safety, to all areas of economic activity, including the labour relations as determined by the Organic Law the Labour Code and the law on Civil Service.

EMPLOYER OBLIGATIONS

Ensure registration, inquiry and reporting of the accidents and occupational diseases in the work space. Regularly ensure the inspection of the safety conditions of the equipment, maintenance of the means of protection, control of the proper use of the equipment and fulfilment of all other relevant obligations in that specific case. Provide employees with training on security issues, technological processes and methods related to them. To reimburse all expenses incurred regarding to labor safety and sanitary-hygienic measures in the workplace

LABOR SAFETY SPECIALIST

The law obliges the employer to appoint the labor safety specialist. In case the company has 20 or less employees, employer (owner/director) may represent a labor safety specialist, in case the company has 20 to 100 employees, it is obliged to appoint at least 1 specialist and in case the amount of employees is more than 100, it is necessary to create a suitable service (department) with at least 2 specialists. The law allows the representative of the employee to be the labor safety specialist as well.

ADDITIONAL OBLIGATIONS

For the effective cooperation and communication of the employer with the employees regarding the labor safety issues in the enterprise/institution which has 20 or more employees, employer shall select one of the employees to work as a representative of the employees regarding issues of labour safety. A person may be elected and appointed as a representative of the employees only in case of his/her consent. Fulfil other obligations related to regular medical examinations, risk assessment and prevention of the accidents, and etc.

SPECIALIST'S QUALIFICATIONS

The person/specialist responsible for labor safety should have the relevant professional experience and qualification - abilities and technical skills that shall be confirmed by the certificate of attendance of the relevant accredited program. The capacity, the procedure of the implementation and the terms and conditions of the program are to be determined by the administrative-legal act of the Minister of Labor, Health and Social Affairs within 3 months after the enactment of this Law.

In addition, the law classifies the accidents that might occur on working site (light, medium, heavy, fatal and mass), and obliges the employee to inform the employer about the accident immediately. The employer is obliged to implement the measures envisaged under the law, including recoding the accidents.

If the Employer appoints the Labor Safety Specialist in accordance with the norms under legislation, or invites other authorized person (external service) to perform appropriate services, it does not exempt the employer from responsibilities under this law

LIABILITIES

- The law provides the following types of liabilities - warning, fines and suspension of the work process.
- Different types of penalties are defined by the law, for example, implementation of heavy, harmful and dangerous works with increased risk without registering these activities shall result in imposition of 1,000 GEL fine and in case of repetition of the same action - 2,000 GEL fine.
- If there are no critical inconsistencies with the legislation, the first response to the violation shall be a warning. In case of further non-fulfilment of the instructions of the Supervision Agency, fines depend on the offender and the amount of income and VAT taxable transactions of the previous calendar year.
- Accordingly, the fine might deviate between 10 000 and 20,000 GEL for individual persons, and between 20,000 and 50 000 GEL in the case of VAT payers.

INSURING THE ACCIDENTS

Employer is obliged to provide health insurance from the work accidents at own expense during the employment period. The requirement of this paragraph applies to the work places with the increased hazard, hard, hazardous and harmful working conditions.

Cases of Fatal Accidents 2020 to 2022: 111



Source: documents.growmo.re/geostat

To reduce and eliminate the risk to the occupational safety (according to the size of the enterprise and the nature of the work), the employer should assess all potential risks and take necessary steps based on the following general principles:

- Make sure that the existing risks are avoided
- Evaluate those risks and threats, which cannot be avoided
- Make sure that the risks are reduced, including the elimination of their sources
- Replace the risk factors with safe or less dangerous factors
- Elaborate a consistent policy of the preventive measures
- Prioritize the collective protection measures over the individual measures
- Conduct relevant training to the employees
- Ensure that the work is adapted to the employee, especially from the perspective of the arrangement of the work area, work equipment, and selection of work and enterprise methods

RISK ASSESSMENT DOCUMENT

The employer is obliged to keep the risk assessment document according to the rules set by the administrative-legal act. Example below:

RISK ASPECT	DESCRIPTION	RISK	GROWMORE
Electrical Outlets	Overloaded electrical outlets or improper use of extension cords.	Intermediate	PASSED
Fire Extinguishers	Lack of fire extinguishers or expired fire extinguishers.	High	PASSED
Ergonomics	Poorly designed workstations leading to musculoskeletal issues.	Minor	PASSED
Trip Hazards	Loose cables, rugs, or cluttered walkways.	Intermediate	PASSED
Poor Lighting	Inadequate lighting causing eye strain and potential trip hazards.	Minor	PASSED
Air Quality	Poor ventilation leading to discomfort or health issues.	Intermediate	PASSED
Security Alarm	Malfunctioning or lack of security alarms to deter unauthorized entry.	High	PASSED
Emergency Exits	Blocked or poorly marked emergency exits.	High	PASSED
Chemical Storage	Improper storage of cleaning chemicals.	Intermediate	PASSED
Office Equipment	Malfunctioning or improperly used office equipment like photocopier/s.	Minor	PASSED
Kitchen Area	Slippery floors, improperly stored food, or faulty appliances.	Intermediate	PASSED
Data Security	Unsecured computers or sensitive documents left unattended.	High	PASSED
Manual Handling	Incorrect lifting techniques for heavy objects.	Minor	PASSED
Noise Levels	Excessive noise leading to distraction or stress.	Minor	PASSED
PPE Equipment	Lack of or improper use of PPE where/if required.	Intermediate	PASSED

CONSULTATION

Before taking decision the employer shall ensure participation of employee/s or their representative/s in resolving the issues about occupational safety and health, which implies: Consultations with employees, the right of an employee or representative of the employees to initiate proposals on occupational safety and health and maintain a balanced participation between all involved parties.

This publication has been carefully prepared, but it has been written in general terms and should be seen as broad guidance only. The publication cannot be relied upon to cover specific situations and you should not act, or refrain from acting, upon the information contained therein without obtaining legal advice.