



**Avicenna International Community College Ltd**

## **Labour regulation**

**Tbilisi  
2018**

## **Article 1. General provisions**

- 1.1. Avicenna International Community College (hereinafter the Institution) is a legal entity of public law..
- 1.2. The institution is headed by the Director, who is authorized to represent the authority.
- 1.3. The present labor regulation (hereinafter regulations) regulates labor relations between the establishment and the employee, as well as legal relations between the institution and vocational teachers and the institution and vocational students (hereinafter students).

## **Article 2. Labor Relations**

- 2.1. Labor Relations is the work of the employer in the conditions of organized organizational order (for the institution) in return for remuneration.
- 2.2. Labor relations arise from the equality of the parties on the basis of the free expression of the will.
- 2.3. Labor relations prohibits any kind of discrimination on the basis of race, skin color, language, ethnicity, social origin, nationality, origin, property and title status, residence, age, sex, sexual orientation, disability, religion or any association, family status, political and others.
- 2.4. In the relations of labor, the Parties shall observe the basic human rights and freedoms defined by the Georgian legislation.
- 2.5. Issues related to labor relations that are not regulated by the present regulations are governed by the applicable legislation of Georgia.

## **Article 3. Conclusion of a labor agreement**

- 3.1. The labor agreement shall be concluded in a written form, to be effective by defined, indefinite or for the term of work performance.
- 3.2. A person shall be employed on the basis of his personal statement and the order of the Director, after which the employment contract is established with the employee.
- 3.3. The employer is obliged to issue a certificate on the work of the employee in case of an employee's request, which includes data on the work done, the remuneration of the labor and the duration of the employment contract.

## **Article 4. Recruitment procedure and Documents to be submitted**

- 4.1. The director of the institution is guided by the legislation acting in Georgia when receiving and dismissing a person.
- 4.2. To select the personnel of the institution, the information on the relevant vacancy is posted on the official website of the institution and / or on the relevant website / websites of employment, indicating the vacancy title, the relevant qualification requirements, the documentation, the deadlines and other conditions; The Vocational Education Teacher's recruitment is available in accordance with the rules of selecting a vocational education teacher.

4.3. When making a contract, the institution is obliged to request a candidate to submit:

- a) Copy of a passport / ID card;
- b) Copy of educational document in case of foreign educational document - a copy of the document confirming the recognition of education by the National Center for Educational Quality Enhancement;;
- c) Autobiography/ CV;
- d) Personal Statement;
- e) In case of existence - copies of other documents, certificates, diplomas and other documents certifying the workbook or labor experience.

4.4. In case of incomplete submission of the documents listed in the paragraph 4.3 of the present Article, the candidate is given a term of 5 working days to correct the shortcomings. The absence of the documents after the expiration of this term may be the basis for refusal to conclude the contract.

4.5. In case of necessity, the decision of the principal may be selected by the administrative staff and / or professional teacher based on the competition; In this case the rules and conditions of the competition shall be determined by the order of the director and published publicly at the institution's website.

4.6. The personnel of the institution, except for the obligation to maintain the terms of the contract signed with him/her, are obliged to comply with the present Rules, the Code of Ethics Acting in the Institution and all other legal acts related to his/her activities and related to the place of employment.

4.7. The personnel of the institution are obliged to respect the universally recognized human rights, freedoms and virtues..

4.8. The personnel of the institution shall not be allowed to adhere to the general moral norms or the indiscriminate behavior (guilty act) directed to discredit personnel and institutions, regardless of where it is committed.

4.9. It is not permitted to appear in the working place under alcoholic and drug influence, as well as tobacco smoke at the institution's premises, in the area of its possession and in the 50 meter radius (from the nearest point of the territory of the relevant institution).

4.10. In the relations with citizens and employees, the staff of the institution is obliged to follow the ethical and moral norms, introduce themselves and hold position, be attentive and polite.

4.11. The personnel of the institution, except the rights provided by this Regulation, use all other rights under the applicable law.

4.12. The personnel of the institution shall be required to obey all other restrictions not referred to in the present regulations but are envisaged by the applicable legislation.

## **Article 5. Vocational Student**

5.1. The rights and responsibilities of a vocational student shall be determined by the present regulation, the agreements signed and the acting legislation.

5.2. The institution is obliged to ensure the safety of a vocational student during the study process.

5.3. A vocational student is obliged:

- a) To comply with the provisions of the Code of Ethics of the institution and other legal regulations applicable to the institution;

- b) Carefully treat and take care of the property of the institution;
- c) Respect rights and freedoms of other students and vocational personnel;
- d) Do not bring alcoholic beverages, tobacco and other substances on the territory of the institution, that are prohibited by the Georgian legislation;
- e) Do not move in the territory of the institution under the alcoholic and / or narcotic condition.

5.4. A vocational student is entitled:

- a) Be protected against ill-treatment, discrimination and / or offense on any grounds;
- b) The vocational student has the right to express his/her opinion and to demand respect his/her rights and freedoms;
- c) The vocational student has the right to appeal against the unlawful act of professional teacher, administrative personnel or professional student of the institution in writing manner; The above-mentioned complaint will be submitted to the director of the institution;
- d) To appeal against the negative application received by the applicant on the basis of a personal application submitted to the Director;
- e) To appeal against an illegal action carried out by the institution according to the Georgian legislation.

5.5. Based on the goals of the professional programs and curriculum of the institution, if a professional student misses more than 80% of the concrete module hours, he/she will not be allowed on summarizes evaluation of the above module.

## **Article 6. Working time, break and vacation time**

6.1. Working time is part of the calendar time during which the employee is obliged to carry out his / her duties and responsibilities.

6.1.1. The working days for the administrative staff of the institution are from Monday to Friday from 10:00 am to 18:00 pm, the break - one hour.

6.1.2. By the decision of the Director of the institution, for the purpose of implementation of the Vocational Education Program, it may be possible to use non-working hours, weekends and other holidays defined by labor legislation as training /working time.

6.2. The working schedule of the library of institution is determined by Institution Library Regulations..

6.3. The length of time defined by the employer during which the employee performs a job shall not exceed 40 hours a week.

6.4. The working time and break time for the professional teacher of the institution is determined by the instruction of the institution based on the order of the Director of the institution.

6.5. The time and the break is not considered as the working hours.

6.6. Holidays are defined in accordance with Georgian legislation.

## **Article 7. Vacation and business trip**

7.1. Employees have the right to benefit from paid leave - at least 24 working days per year.

7.2. Employee shall be entitled to request paid leave for the first year of work to the employee after 11 months of working; Employee leave may be allowed until the expiration of the mentioned period by agreement of the parties.

7.3. Employee has the right to benefit from non-paid leave - at least 15 calendar days a year.

7.4. The employee shall be obliged to apply to the Director in writing with request of non-paid leave 2 weeks before, unless the warning is not possible due to urgent medical or family conditions.

7.5. The employee is given a leave on the basis of pregnancy, childbirth and childcare in the amount of 730 calendar days.

7.6. In the case of pregnancy, childbirth or childcare, the employee is paid 183 calendar days from given leave, and in case of childbearing complications or twins, paid - 200 calendar days.

7.7. The vacancy envisaged by Section 7.5 of the present Article may allow the employee to disseminate the pregnancy and post-pregnancy periods at its discretion.

7.8. Employee vacation (whether paid or non-paid) is drawn up by the director's order.

7.9. The business trip is a temporary change of employee's workplace in accordance with the interests of the job.

7.10. The business trip of the employer by the employee is not considered to change the essential terms of the labor agreement if the period of travel does not exceed 45 calendar days per year.

7.11. Employer is obliged to fully reimburse the expenses related to the employment of the employee.

7.12. The personnel of the institution shall be obliged to provide transfer of the documents trusted to him/her, the corresponding electronic versions indicating the location, property under his/her responsibility (material value) to the authorized person within no later than 10 days after the order of the dismissal, or in case of absence of the person, transfer to the director of the institution.

7.13. The personnel is obliged to provide the transfer of official documents available to him/her before departure or before traveling to the destination by indicating the location of the corresponding electronic versions to the substitute.

7.14. In the case envisaged by paragraph 7.12 of this article, an authorized person gives a march on documentation of the employee in the business trip to protect the requirements set by law,

## **Article 8. Remuneration of labor and deduction**

8.1. The form and amount of remuneration shall be determined individually for each employee, with the respective agreement.

8.2. The remuneration is paid once a month, through the non-cash settlement till the last days of the month.

8.3. If the labor agreement does not specify otherwise, the employer will be paid a full amount of compensation for forced labor.

8.4. Compulsory labor due to employee's fault will not be reimbursed.

8.5. The amount of one-time deductible from the remuneration should not exceed 20 percent of the pay.

### **Article 9. Overtime Work**

9.1. Overtime work is considered the work made by the employee under mutual agreement in the period of time the duration of which exceeds the working time according to the present Rule.

9.2. The overtime work will be compensated by an increased amount of wage hourly rate, which is determined by the agreement of the parties.

9.2.1. The Parties may agree on giving the employee additional holiday in return for the overtime work.

9.3. It is prohibited to make a pregnant woman or a neonatal woman or a person with disabilities work overtime without their consent.

### **Article 10. Suspension of Labor Relations**

10.1. The suspension of labor relations is temporary failure of the work envisaged by a labor agreement that does not result in termination of labor relations.

10.2. The grounds for suspension of labor relations are regulated by the contract concluded with the employee and the current legislation of Georgia.

### **Article 11. Rule of Termination of Labor Relations**

11.1 The grounds for termination of labor relations are regulated by the contract concluded with the employee and the legislation of Georgia.

11.2. When terminating the employment contract the employer is obliged to warn the employer at least 30 calendar days before by sending a written notice. At the same time, the employee will be compensated with the amount of remuneration of at least one month within 30 calendar days from termination of the employment agreement.

11.3. In case of termination of the employment contract on the basis of own application of the employee, he/she is obliged to warn the employer not earlier than 30 calendar days by sending the written notice.

11. In the event of termination of labor relations the employer is obliged to make final payment no later than 7 calendar days after termination of labor relations.

### **Article 12. Responsibility**

12.1. Damage inflicted on the Party by the other Party during the Labor Relations shall be compensated in accordance with the present regulation and the applicable legislation of Georgia.

12.2. Employees are obliged to take care of the property of the institution and take appropriate measures to prevent possible damages.

12.3. The employer is obliged to fully compensate the employee for the damage caused to him / her.

12.4. Due to the damage caused to the institution by the employee when performing his/her official duties, he / she has material responsibility in the amount of damage.

12.5. For damages caused by an employee, the institution has the right to use an appropriate sanction against the employee. The director of the establishment shall determine the amount of damage and significance of the damage.

### **Article 13. Review and settlement of disputes**

- 13.1. The dispute is the disagreement arising during labor relations, which is settled in the legitimate interests of the parties (labor and employment) of the labor agreement.
- 13.2. The dispute arises by written notification by one party to the other Contracting Party
- 13.3. The grounds for the dispute may be grounds for violation of human rights and freedoms, labor agreement and / or labor conditions established by the legal acts of the institution envisaged by the Georgian legislation..
- 13.4. The dispute may only be discussed by the persons and their representatives who are directly related to the dispute.
- 13.5. Discussion of disputes does not cause suspension of labor relations.
- 13.6. The dispute shall be resolved according to the agreed procedures between the parties.
- 13.7. On the commencement of agreed procedures, the Party sends a written notice to the other party in which the basis and requirements for the dispute should be precisely specified.
- 13.8. The other party is obliged to review a written notification and inform the party in writing within 10 calendar days after receiving the notification.
- 13.9. If the Agreement can not be reached within 14 calendar days during the dispute, or if the Party avoids participating in the agreed procedures, the other party has the right to appeal to the court.
- 13.10. Increase of demand by the parties in the dispute resolution process or the content of the dispute is inadmissible.

### **Article 14. Encouragement**

- 14.1. For the performance of high professionalism and / or special appearance of the obligations under the labor agreement, the institution is entitled to apply to the employee the following measures of encouragement:
- 14.1.1. Approval of gratitude (as an official document and entry into personal affairs);
- 14.1.2. Bonus;
- 14.1.3. Awarding with a paid gift;
- 14.1.4. Promotion;
- 14.3. The director of the institution receives the relevant decision on measures of encouragement.

### **Article 15. Disciplinary Responsibility**

- 15.1. The methods of protection of the institution's discipline shall be based on the principles of respect for the professional and the personnel of the institution (professional teacher / administrative staff) and the respect and equality of freedom and dignity.
- 15.2. In case of failure to comply with the provisions of this Regulation, the Code of Ethics of the institution, or the failure to fulfill the requirements of other legal acts acting in the institution, the director of the establishment is entitled to provide disciplinary penalty on the basis of the present regulation on the basis of each disciplinary offense.

15.3. Disciplinary abasation shall be deemed to be neglecting and / or improperly performing the provisions of the present regulation, other internal legal acts of the institution and the applicable legislation of Georgia.

15.4. Disciplinary penalty is the amount of liability defined under the present regulations for disciplinary misconduct.

15.5. It is unacceptable to use a disproportionate and disciplinary penalty which degrades the person's honor and dignity.

15.6. When imposing disciplinary liability, an authorized person is obliged to explain the essence of disciplinary misconduct committed by him.

15.7. The personnel of the institution may be subject to the following disciplinary sanctions:

- a) Warning;
- b) Reprimand
- c) Entire or partial deduction of salary
- d) Dismissal

15.8. The vocational student of the institution may be subject to the following disciplinary sanction:

- a) Warning;
- b) Reprimand (in personal case);
- c) Termination of student status, the basis of which may be:
  - a) Gross and / or unethical attitude, violence, insult and slander against professional students, institution personnel.
  - b) An attempt to get an assessment with a threat to the examiner, physical or psychological influence, deception, fraud or other inappropriate means and actions.
  - c) Stop student status.

15.9. The disciplinary punishment shall be drawn up by the director's order.

#### **Article 16. Protection of confidentiality of information received regarding the fulfillment of official duties**

1. The employee is obliged to keep the secret and not disclose confidential information regarding the fulfillment of official duties during the official duties and after completion of this period, regardless of the reason for which the employment relationship has been terminated.
2. Confidential information for the purposes of this regulation shall be deemed to be any information which can cause damage to the institution's activities.

#### **Article 17. Delay and absence of work**

1. The delay at work is 15 minutes delay to be present at work.
2. Delaying at work or absence at work can be considered as valid or unfair.
3. Delaying at work or absence at work shall be deemed to be honorable if:
  - a. If the employer informs the employer in advance about the reasons for the delay or absence and the director considers it to be honorable.
  - a. In case the employee's delay or absence of work was not agreed with the director of the institution and was caused by an force majeure circumstances, illness or hard family situation.

3.1. In case of absence, the director shall be notified at least one working day in order to be able to transfer the official duties assigned to the employee to another employee.

4. In the absence of the above grounds, the employee's delay or suspension will be considered as not forgiven.

5. Honourable delay or absence at work shall be compensated, and in case of non-excuse reason the delay or absence of work shall not be reimbursed.

### **Article 18. Vocational teacher**

18.1. The **Vocational** teacher is selected in accordance with the rules of selecting a **Vocational** teacher in the institution and acting legislation.

18.2. The institution conducts a service agreement with selected vocational teacher

18.3. The Service Agreement shall be concluded in accordance with the applicable legislation in writing, for the term of concrete work.

18.4. The service contract is concluded with a professional teacher based on his personal application and the order of the director.

18.5. The institution is obliged to issue a certificate of employment on the position of the professional teacher in case of the request of a teacher, which includes the data on the duration of the work done, the payment and service.

18.6. Subject to the internal regulations, the regulation of the institution and professional teacher is subject to all regulations of the present regulations, except for Article 3, Article 6.1.1., 6.2. Paragraph and part of Article 7.

### **Article 19. General Instructions on Labor Safety and Fire Safety**

19.1. The protection of labor means a broad system of technical, sanitary-hygienic and legal measures aimed at ensuring healthy and safe conditions of labor.

19.2. The institution cares for employed personnel to establish healthy and safe conditions of labor prescribed by the Labor Code of Georgia and the acting legislation, the proper technical arrangement of all workplaces and the creation of labor conditions, such as the rules of labor protection (safety techniques, sanitary norms and rules, etc.).

19.3. The personnel of the institution are obliged to comply with the provisions of the institution's ownership or possession of vehicles and mechanisms to carry out the provisions of the labor protection, which determine the rules of execution of the work and the building of the institution.

## **Article 20. Introduction to Internal Regulations**

20.1. The internal regulations of the establishment is placed publicly in the visible place of the institution and on the website of the institution.

20.2. Introduction of the internal regulations of the Institution is conducted for all employees of the institution (administrative staff and professional teachers), which is confirmed by their personal signature. Also, the institution provides the opportunity to introduce the present regulations for vocational students.

## **Article 21. Final provisions**

21.1. The regulations will be approved by the order of the director of the institution.

21.2. Changes and / or amendments to the present regulations are carried out by the order of the Director.