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Parliament of Georgia adopted the Organic Law of Georgia on Amendments to the Organic Law of Georgia "Labor Code of Georgia"

On 5 October 2020, a new law on Amendments to the Organic Law of Georgia "Labor Code of Georgia" was published on the website of the Legislative Herald of Georgia.

- ▶ Amendments add a completely new chapter on the issue of discrimination. Law prohibits both: direct and indirect discrimination and obliges employees to give equal pay to men and women for the same work or work of equal value.
- ▶ Law introduces a concept of Special Support Measure and stipulates that measures carried out in order to satisfy the needs of those who due to their age, gender, disability or other criteria are generally considered to be in need of support, will not be considered as discrimination.
- ▶ Amendments to the law establish the principle of Reasonable Adjustments, which obliges employees to implement measures in order to give persons with disabilities equal opportunity of employment and career growth.
- ▶ New law establishes regulations for part-time workers. Part-time workers cannot be treated less favorably than comparable full-time workers solely because they work part-time, unless it can be objectively justified.
- ▶ Employers should fully consider: requests to transfer from full-time work to any part-time work that becomes available; requests to transfer from part-time to full-time or to increase working time where the opportunity arises.
- ▶ New law defines the position of an Intern and prohibits employees to use the services of an intern in order to avoid entering into the employment contract. The period of Internship without pay should not be more than 1 year; the period of Internship without pay should not be more than 6 months. Relationship between the employer and an Intern is governed by written agreement.
- ▶ New law amends the criteria for Redundancy Dismissal. Collective Redundancies means dismissals effected by an employer for one or more reasons not related to the individual workers concerned where the number of redundancies over the period of 30 days is: at least 10 in establishments normally employing more than 20 and less than 100 workers; at least 10 % of the number of workers in establishments normally employing at least 100 workers.
- ▶ Amendments to the law set forth the mechanisms for the protection of employment rights when business ownership is transferred. The transfer of a company is not a ground for dismissal. Dismissal may only take place for economic, technical or organizational reasons. Employees maintain their rights and obligations, as set out in an existing employment contract or relationship, when ownership is transferred.
- ▶ Pursuant to the amended law in an enterprise normally employing at least 50 employees, employer is obliged to provide information in accordance with the rules established and hold consultations.
- ▶ Amended law imposes sanctions on employees for violating established standards. Sanctions imposed differ depending on the employer

Law became effective upon its publication.

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

Practice areas

EMPLOYMENT

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