Appendix 1

Approved by: Governing Board of International Black Sea University

 By Resolution N07 of January 31, 2024



**Labour regulation**

**On labor discipline of academic, scientific and invited personnel**

Tbilisi

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## **Chapter I**

## **Article 1. General provisions**

## 1. On the basis of the internal regulations of the International Black Sea University (hereinafter "the University") based on the Organic Law of Georgia, "Labor Code of Georgia", other related normative acts and the University's regulations, it regulates the academic, scientific and guest personnel (hereinafter " "employee" and/or "employee") issues of labor discipline; determines mandatory rules of conduct for employees, during work and rest; business trip rules; types of encouragement and disciplinary responsibility; as well as other issues that are directly related to labor discipline.

## 2. The university protects basic human rights and freedoms defined by Georgian legislation, provides environmental conditions free from discrimination, harassment and oppression.

## 3. The employee is obliged to follow the requirements of the present internal regulations.

## 4. Issues that are not regulated by these internal regulations are listed in the Labor Code of Georgia.

## Working and rest time, business trip and remuneration

## **Article 2. Labor regulations**

## 1. The employee is informed about the structure of the university, the personnel management policy, the rules of behavior of the university and the present internal regulations.

## 2. Healthy and safe working conditions are created in the university.

## 3. Ensuring healthy and safe working conditions is the responsibility of the university administration;

## 4. The employee, in turn, is obliged to support the administration in maintaining safe and healthy working conditions;

## 5. Technical means (e-mail, telephone, etc.) may be used to familiarize employees with administrative acts, orders and other information received by the administration on official matters.

## **Article 3. Personal file of employees and issuance of notification**

## 1. Every employee at the university has a personal file, the procedure and content of which is determined by the regulation "On the procedure for holding the competition of academic, scientific, administrative and invited staff".

## 2. In the absence of a personal file of an employee at the university, the university does not issue a notification about the activity at the university and reserves the right not to make salary payments until the mentioned problem is eliminated.

## 3. The employee is obliged to update his personal file from his personal profile at least once a semester, and in case of changes, to update it immediately after the changes.

## 4. The employer collects and processes the personal data of the employees only to the extent necessary for the purposes of the employment relationship.

## 5. The International Black Sea University adheres to the requirements established by the Georgian legislation "On Personal Data Protection" and undertakes not to use personal data for any other purposes, not to transfer it to any third party (except for the cases provided for by law) and otherwise not to violate the rules of personal data processing. .

## **Article 4. Labor contract**

## 1. In accordance with his academic position, an appropriate type of labor contract is signed with the employee (which corresponds to the rules and requirements established by the Labor Code of Georgia, as well as the requirements defined by the university's regulations).

## 2. The labor relations between the employee and the employer are regulated on the basis of the contract signed between the parties and these internal regulations, which are an integral part of the labor contract.

## 3. The contract signed between the parties can be changed if the academic position of the employee changes in the university (the type of contract will change depending on the academic position).

## 4. In the cases defined by law, during the performance of overtime work, an additional agreement on the performance of overtime work is formed between the employer and the employee, which defines the conditions of performance of overtime work.

## 5. The labor contract provides for all essential conditions of the contract in accordance with the Labor Code of Georgia.

## **Article 5. Overtime work**

## 1. The employee is obliged to perform overtime work:

## a) to prevent a natural disaster and/or eliminate its consequences, without compensation;

## b) to prevent an accident situation and/or eliminate the consequences of an accident, with appropriate compensation.

## 2. It is not allowed to employ a pregnant or newborn woman, a disabled person for overtime work without her consent.

## 3. Overtime is considered to be the performance of work by the employee in the period of time, the duration of which exceeds the working time defined by the labor contract. If the working hours are not defined by the labor contract, overtime work is considered to be the performance of work in the period of time, the duration of which exceeds 40 hours per week, or the working hours determined by the university.

## **Article 6. Termination of the employment contract**:

## 1. It is possible to terminate the labor contract, only taking into account the requirements of the legislation and on its basis, following the procedures provided for by the labor legislation. Termination is possible after the expiration of the term specified in the labor contract (if the contract is concluded with a corresponding term), in the case defined by Clause 3 of Article 3 of these internal regulations and/or taking into account additional conditions;

## 2. The termination of the employment contract is formed by the order of the rector of the university, which indicates the reasons for the termination of the employment relationship. At the employee's request, he will be given a duly certified copy of the order;

## 3. The day after the employee's last working day at the university is considered the day of dismissal;

## 4. The personnel management department is obliged to give the employee a certificate confirming his work at the university within 10 (ten) working days of the request;

## 5. The financial department is obliged, based on the notification of the personnel management department, to make a final settlement with the dismissed person (according to the procedure established by the Labor Code);

## 6. The university is entitled, in addition to the conditions stipulated in the contract, to terminate the employment contract if:

##  a) the employee's qualifications or professional skills are found to be incompatible with the training course he is studying;

##  b) the employee is reported to be in an intoxicated state, under the influence of narcotic or toxic substances;

##  c) the employee performed his work at an unprofessional level, which resulted in the expenses of other employees, additional university or other expenses, and/or caused the dissatisfaction of other lecturers of students, which is considered a gross violation of the obligation imposed by the employee;

##  d) transferred financial, technical or other confidential information of the university to another third party without agreement with the university administration, which was made known to him during the performance of his work, which is also considered a gross violation of the obligation imposed by the employee;

##  e) the employee grossly violates the rules established by the university and/or systematically misses lectures for an unjustified reason;

##  f) gross violation by the employee of the obligation imposed on him by the individual labor contract or the labor regulations, which is manifested in the implementation of such actions by the employee that harms the interests of the university, tarnishes the image of the university; or abuse of authority; or commits such an action, which, as a result of the assessment of a specific fact, will be considered a gross violation of the obligation.

## 7. In the case of premature termination of the employment contract (for personal reasons) at the initiative of the employee, he is obliged to present to the university no later than two weeks before the termination, a candidate for his replacement, who will lead the relevant lecture course. Otherwise, the university reserves the right to demand compensation for the damage caused to the employee;

## 8. The contract will be terminated in other cases stipulated by the Labor Code of Georgia and the contract, including the grounds for termination of the contract:

## - expiration of the contract;

## - economic circumstances, technological or organizational changes that make it necessary to reduce the workforce;

## - performance of the work stipulated in the contract;

## - written agreement of the parties;

## - The employee leaves the job of his own free will, on the basis of a written application, about which he informs the employer at least 1 (one) month in advance;

## - The employee's incapacity for work, if the period of incapacity for work is incompatible with the implementation of the workload provided by the program, (which justifies the termination of the contract in view of mutual interests) upon submission of the head of the specific program and the school board.

## - Violation by the employee of the obligations imposed on him by the labor contract or by-laws, if any measure of disciplinary responsibility has already been applied to the employee in the last 1 year; entry into legal force of a court verdict or decision, which excludes the possibility of performing work.

## - at the time of termination of the employment relationship, other grounds determined by the labor legislation, or other objective circumstances, which, taking into account the interests of the parties, justify the termination of the contract.

## - death of an employee;

## - initiation of liquidation proceedings of the employing legal entity;

## 8.1. The work authority of the guest lecturer is terminated after the end of the relevant academic semester, unless he exercises the authority of the lecturer in the next semester as well.

**Article 7. Working time.**

1. The employee's working time is a part of the calendar time, during which he is obliged to perform the rights and duties defined for him by the labor contract and this document;

2. The employee's hourly workload/obligations to be performed during the year/semester are determined by the agreement signed between the parties and its annex.

3. The consequences of non-fulfillment of the workload established by the contract and its annex by the employee are determined by the contract signed between the parties.

4. In order to ensure security in the university, academic, scientific and guest personnel register through the so-called "turnstiles" placed in the entrance area of ​​the building to enter the territory of the university through magnetic cards.

5. The time of staff reporting to work and leaving the workplace is fixed using special technical means and through online registration in the electronic database (the rules of use will be sent to the personal e-mail address of each lecturer by the Department of Personnel Management), which is mandatory for each lecturer.

6. The Human Resources Management and Development Office is obliged to organize registration of reporting to work and departure from work and processing of data obtained as a result of registration.

**Article 8. Staff business trip**

1. A business trip is a temporary performance of official duties by an employee outside the main workplace.

2. The rector of the university makes the decision on business trips for the staff.

3. The financial department ensures the reimbursement of business trips.

4. Before going on a business trip, the employee is obliged to submit a completed and signed business trip application to the Human Resources Management and Development Office.

5. Within 3 days after the end of the business trip, the employee is obliged to submit the checks confirming the expenditure of the funds to the financial department of the university.

6. If the employee does not submit the business trip expenses on time, the corresponding amount of the business trip will be deducted from the salary.

**Article 9. Time and place of payment of labor remuneration and mission funds**

1. The employee receives remuneration according to the appropriate type of contract signed with him in accordance with the academic position:

1.1. once a month by charging the appropriate remuneration to the employee's plastic salary card no later than the 15th of the following month;

1.2. In 4, 5 or 6 parts, depending on the actual hours spent during the semester. The enrollment schedule for each tranche to be reimbursed is communicated to the employee before the start of a particular semester through an e-mail from the International Black Sea University. Reimbursement will be made through non-cash payment through the banking institution serving the International Black Sea University.

1.3. The terms and conditions of remuneration for the research activities defined by the contract by the employee are determined by the contract signed between the parties.

2. The manner and terms of issuing the university employee's mission funds are determined by the current legislation of Georgia. (Order of the Minister of Finance of Georgia N220 of April 5, 2005 "On determining the norms of travel expenses paid to employees").

**Chapter II**

**The rule of reporting non-appearance at work**

**Article 10. The rule of reporting non-appearance at work**

In case of absence from work due to a well-known good reason, the university's academic, scientific and invited staff are obliged to notify (in writing) the dean of the relevant school or the representative of the school at least two days before the absence and to make an agreement with the school administration on the recovery of the missed days.

**Article 11. Holidays**

1. The holidays established by the Labor Code of Georgia and the days of rest determined by the rector of the university based on educational goals, which are determined by the academic calendar, are considered holidays.

**Chapter III**

**Prohibitions established in the university**

**Article 12. The manner and place of tobacco/electronic cigarette consumption**

1. The use of tobacco/electronic cigarettes is not allowed in the university building and yard. Appropriate signs are placed in the building and in the surrounding area about the ban on smoking/electronic cigarettes.

2. The administration is authorized to apply appropriate measures of responsibility for the violation of the requirement for the consumption of tobacco/electronic cigarettes provided for in this article;

3. The measure of responsibility provides for a fine of 200 (two hundred) GEL.

**Article 13. Internal university prohibitions related to the educational process:**

1. Academic, scientific and invited staff are obliged to keep electronic records of students' attendance at lectures. In case of non-compliance with the mentioned requirement, the lecturer will not be reimbursed for the cost of those lecture classes/hours for which the electronic registration of student attendance is not recorded or the size/sizes determined by the contract signed with the staff are used.

2. In case of the impossibility of electronic recording of student attendance caused by a technical error, academic, scientific and guest personnel are obliged to record the attendance of students in writing and provide it to the administration of the relevant school by signed or electronic mail.

3. He is obliged to submit the evaluations of the midterm/final exam to the educational process monitoring office no later than 1 (one) week after the exam. The final settlement with the lecturer will not take place until he has submitted all the exam grades; And the evaluations of other activities determined by the syllabus of the training course (quizzes, presentations...) should be entered into the database by the lecturer within 7 (seven) calendar days after the relevant activity.

4. In the event that the lecturer of the training course did not present or incorrectly presented the evaluations of the activities conducted before the final exam of the student(s) within the time limit specified in the first paragraph, the lecturer has the right to request the correction of the incorrectly presented evaluation and/or the addition of the evaluation that he did not present. no later than 2 (two) weeks after the event.

5. The lecturer must enter the evaluation of the academic activity of the last week of the semester determined by the syllabus into the database within 3 (three) calendar days after its completion, but no later than before the final exam of the relevant subject.

6. In exceptional cases, a statement written by the lecturer in the name of the rector of the university about adding or correcting the grade will be considered one week before the final exam.

7. The issue of adding/correcting the grade will be considered only if there is a document confirming that the student has performed the relevant activity in compliance with the term/deadline specified by the syllabus of the training course. The educational process monitoring office has the right to check the document(s) confirming the fact by any means available to it.

8. The lecturer's request to correct the assessment and/or add the missing assessment will not be considered if the deadlines specified in paragraphs 2-4 of this document are violated, or if the relevant justification specified in paragraph 5 has not been provided.

9. The above-mentioned requirements do not apply to the case when it is a proven fact that the lecturer could not enter the assessment due to reasons beyond his control or there was a technical delay of the database.

10. Within the lecture course, academic, scientific and invited staff are obliged to provide additional options of the exam material that are essentially different from each other, to present a substantially different test/examination task (within the passed material) when resuming the intermediate/final exam task or retaking it, and in case of non-fulfillment of the specified obligation, the university is entitled not to Enroll in the last tranche of the lecturer's semester salary or the rate/rates specified in the employment contract will be used.

11. The lecturer is obliged to submit to the school in electronic form (recorded on a memory card) at least three variants of the intermediate exam, and at least four different versions of the final exam, to the school one week before the corresponding exam.

12. If the exam is held at different times in the same study course, in order to avoid duplication, the exam questions should be different for the groups.

13. The content of the exam questions by the lecturer in each subsequent academic year should be at least 60% different from the questions of the previous year.

14. The lecturer is obliged to electronically upload the course syllabus (Georgian and, if necessary, the English version) to the database and make it available to students 2 (two) weeks before the start of studies. The lecturer is authorized to make corrections in the syllabus within 2 (two) weeks after the beginning of the study. After the expiration of this term, in case of necessity to make changes in the syllabus, the lecturer is obliged to apply to the rector of the university with a substantiated application;

15. The lecturer is obliged to leave the auditorium closed in the period between lectures, during breaks, in case of leaving the auditorium;

16. If no student shows up during the lecture, in the case of a 2 (two) hour lecture time, the waiting period for the lecturer is the first lecture hour in full and 15 minutes after the start of the second lecture, and in the case of a 3 (three) hour lecture time, the first, second lecture hour Fully and 15 minutes after the start of the third lecture, after which he can leave the audience. In such a case, the lecturer is considered to have conducted the relevant lecture hour, and the lecturer is obliged to deliver the missed lecture/study material to the students as defined by the syllabus electronically.

17. During one academic semester, a lecturer may miss a maximum of 2 (two) lecture meetings per group with a valid reason and with a prior warning to the employer, and then compulsorily restore a maximum of 2 (two) lecture meetings per group.

18. The lecturer is obliged to conduct remedial lectures at the time agreed with the students (the majority).

19. Academic staff must have an active e-mail opened by the university.

## **Article 14. Norms of ethics and conduct**

## 1. The employee is obliged to follow the regime, as well as ethical norms in relation to other university staff and students.

## 2. Any type of discrimination based on race, skin color, language, ethnic and social affiliation, nationality, origin, property or rank status, place of residence, age, gender, sexual orientation, disability, religious, public, political or other association is prohibited in the university. including due to belonging to a professional union, marital status, political or other opinion or on other grounds.

## 3. Discrimination shall be considered direct or indirect harassment of a person, which aims or leads to harming a person's dignity and creating an intimidating, hostile, humiliating, degrading or insulting environment for him, or creating such conditions for a person that directly or indirectly worsen his situation with others in similar conditions. compared to a person.

## 4. Discrimination shall not be considered the need to differentiate between persons, which derives from the essence, specificity of work or the conditions of its performance, serves to achieve a legal goal and is a proportionate and necessary means of achieving it.

## 5. Staff is prohibited from:

## a) using a mobile phone, making noise and/or interfering with the educational process in any other way during the classroom lessons;

## b) Inflicting verbal or other insults to employees and/or students, addressing them with incorrect words. All employees are obliged to follow the rules of university subordination.

## c) reporting to work in a state of inebriation, under the influence of narcotic or toxic substances;

## d) importing and distributing gambling, alcoholic and narcotic drugs, as well as political and religious propaganda, advertising leaflets and proclamations; making similar inscriptions in the building;

## e) taking any kind of position on behalf of the university without agreement with the rector of the university or the governing body of the university.

## f) organizing political speeches and rallies on the territory of the university;

## g) Entering with firearms, gas or pellet guns (if the academic, scientific or guest personnel have the right to carry weapons, they are obliged to hand over the weapons to the security service of the university before leaving the mentioned area).

## h) Any physical (unwanted touching), verbal (sexual comments, jokes, work-related threats/incentives in exchange for sexual requests), and/or non-verbal (sexual gestures, whistling, etc.) behavior of a sexual nature is not allowed, which violates the dignity of a person and creates an intimidating, hostile, humiliating or offensive environment for him.

## i) It is forbidden to bring liquid food, open cup/bottle (without lid), drink (coffee, carbonated drinks) (without lid) or other liquid containing product into the university building in university auditoriums, laboratories, library and places with soft floor. or committing other actions that cause damage, pollution and/or distortion of the appearance of the university building (rooms, corridors, stairs, elevator...);

## 6. In relation to the prohibitions established in the university, the legal instruction/warning of the human resources management and development office of the university is mandatory to be followed;

## 7. In case of violation of the prohibitions of behavior established on the territory of the university, the Human Resources Management and Development Office has the right to take necessary measures against the violator. At the request of the victim, the disciplinary commission of the university will consider the issue and make the appropriate decision, and if the action contains signs of administrative misconduct or crime, it should be referred to the relevant structural unit for appropriate response.

**Article 15. Academic freedom**

1. Academic, scientific and invited staff have academic freedom, which means they have professional freedom; Freedom of teaching and research.

2. The University does not interfere in the professional activities of the employee, unless the employee's unprofessionalism and incompetence in relation to the study course/component is revealed.

3. The staff can express their opinion freely, however it is not allowed to take any position on behalf of the university.

Article 16. Dress style of university employees

The university staff is obliged to follow the dress code of the university: the lecturer is obliged to show up for work in moderately classical style clothes. The use of light colored jeans, sport shirts and kets/boots is prohibited.

**Article 17. University standards**

1. The culture of writing in Georgian script when sending e-mails;

2. Necessary indication of the name of the subject when sending an electronic message;

3. Indication of identifiable data in electronic mail;

4. In order to ensure security in the university, the internal and external perimeter is filmed with surveillance cameras. For the same purpose, in the auditoriums where lectures are held, video control (and not audio) is taking place. For the purposes of this article, special signs are posted in the university in the places where the cameras are located.

**Chapter IV**

**Encouragement and disciplinary responsibility of university staff**

**Article 18. Staff incentives**

1. The following types of incentives can be used for the success achieved in labor activities and for active participation in the public life of the university, for exemplary performance of official duties, for conscientious service, to the university staff:

a) declaration of thanks;

b) early removal of previously imposed disciplinary fines;

c) one-time monetary award/premium;

d) promotion;

e) increasing the salary.

2. The president of the university has the right to use the incentive measures provided for in points "a", "b", "c", "d", "e" of this article based on the recommendation of the vice-rector, school dean/department/head of office.

**Article 19. Grounds for disciplinary responsibility**

1. Disciplinary responsibility is one of the types of responsibility applied to the university employee in case of disciplinary misconduct.

2. Non-fulfilment or improper fulfillment of the obligations, rules of conduct and orders of the employer provided for by the code of ethics, labor contract, these by-laws shall be considered a disciplinary offense.

##

**Article 20. Disciplinary sanctions against university employees**

1. Academic, scientific and staff members may be subject to the following disciplinary penalties provided by the personnel management policy.

a) warning/written note;

b) reprimand;

d) salary deduction, during which no more than half of the salary is deducted at one time;

e) dismissal from the occupied position/termination of the employment contract;

2. Violation of the principles of academic integrity against academic/scientific/ invited personnel is subject to the following disciplinary measures:

 a) verbal and/or written warning, including by e-mail;

 b) reprimand in a personal case;

 c) establishment of monitoring on its activities;

d) withholding of wages;

 e) Termination of the employment contract.

3. The terms of disciplinary penalties shall be determined as follows;

Warning - 1 month

Reprimand - 6 months

4. When imposing a disciplinary penalty, take into account the severity of the committed misconduct, the circumstances of its commission, the employee's work and his general behavior;

5. Before applying the disciplinary responsibility, the violator of the discipline should be asked for a written explanation. Disciplinary proceedings against a person on vacation or on a business trip will begin after his announcement.

6. The meeting of the academic disciplinary commission is scheduled no later than the 14th (fourteenth) working day after the submission of materials. Disciplinary fines are applied no later than one month after the discovery of misconduct (the period of being on a business trip or vacation is not included in this period);

7. Appropriate disciplinary penalty/penalties may be applied for each violation of labor discipline and/or academic integrity principles;

8. Any employee of the university, representative of the academic staff has the right to submit a statement about the initiation of disciplinary proceedings and the invitation of the commission with the appropriate appeal to the rector of the university;

9. Information about the disciplinary penalty imposed on the employee should be placed in the violator's personal file.

10. In accordance with the receipt of materials (application, complaint/request, evidence, etc.) on issues within the commission's competence, the secretary of the commission provides the invitation to the commission's meeting on the second working day after the issuance of the relevant resolution task by the rector of the university.

11. The procedure for conducting disciplinary proceedings is determined by the personnel management policy document.

 **Article 21. Removal of disciplinary responsibility**

1. Based on the presentation of the head of the human resources management and development office, or the dean of the school, the rector of the university has the right to remove the relative disciplinary responsibility of the staff member early, if he has not committed a new misconduct and has shown himself to be a conscientious employee.

2. If the new disciplinary liability was not imposed on the staff within the period specified for the relevant disciplinary penalty, he/she is considered not to have disciplinary liability.

3. Premature removal of disciplinary responsibility is formalized by order of the university rector.

4. Early removal of disciplinary responsibility shall be filed in the personal file.

##

## **Chapter V**

## **Acquaintance with the internal regulations** **and mission of the university**

## **Article 22. Internal regulation and University Mission**

## Academic, scientific and guest personnel, upon signing the appropriate contract with the university, are informed of the labor regulations and the mission of the university.

## **Chapter VI**

##  **Additional provisions**

## **Article 23. Consideration of application/complaint**

## 1. Any complaint/statement of the employee is written directly in the name of the rector of the university, who, depending on the content of the issue, will assign the consideration of the case to the relevant structural units or transfer the issue to the disciplinary commission for consideration, and the final decision, based on the report of the reviewers, will be made by the rector of the university. The review of the complaint/application and the decision should be made no later than 15 (fifteen) working days after its submission. The decision will be notified to the applicant in accordance with the established rule.

## 2. The employee has the right to contact the ombudsman's office at the university for consultation. The ombudsman advises staff on issues related to their rights and duties, the university's rights and obligations towards staff. Also, ensures the detection of facts of violation of the rights of personnel, their study and raising the issue before the relevant authorized persons of the university in order to respond;

## **Article 24. Amendments to the labor regulations.**

## 1. Any issue that is not covered by these internal regulations shall be regulated in accordance with the Labor Code of Georgia;

## 2. The employer has the right to change the conditions of the university's internal regulations or to make changes and/or additions, which are formed by the resolution of the governing board and are notified to the employees electronically.

## **Article 25. Entry into force of the internal regulation:**

## 1. In case of amendments and/or additions to the internal regulations, it will be published by the employer on the official website of the university - ibsu.edu.ge no later than 14 calendar days after its receipt.

## 2. By-laws shall enter into force upon review and approval by the Governing Council of the University.