Appendix 1

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**Labour regulation**

**On labor discipline of administrative and support staff**

Tbilisi

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**Chapter I**

**Article 1. General provisions**

1. The present internal regulations of the International Black Sea University (hereinafter referred to as "the University"), based on the organic law of Georgia, "Labor Code of Georgia", other related normative acts and the university regulations, regulates the administrative and support staff (hereinafter referred to as " "employee" and/or "employee") issues of labor discipline; determines mandatory rules of conduct for employees, during work and rest; vacation and business trip rules; types of encouragement and disciplinary responsibility; work/study schedule; Rules of transfer to work, as well as other issues 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. All employees of the university are obliged to comply with the requirements of the present internal regulation.

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

## **Article 2. Labor regulations**

## 1. All employees employed at the university are notified of the structure of the university, the personnel management policy, the rules of conduct at the university, the present internal regulations, the regulations of the relevant structural unit, and the official instructions of the position the employee works for;

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

## **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 in accordance with the "Rule of appointing persons involved in the educational and scientific process" and "Qualification requirements of personnel and the rule of appointment".

## 2. In the absence of a personal file of an employee at the university, the university does not issue a notification about the activity of the relevant person 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 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. An employment 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 statutes) and also an appropriate order is issued on the appointment of the person.

## 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. In the cases defined by law, when performing overtime work, an additional agreement on performing overtime work is formed between the employer and the employee.

## 4. The employment contract provides for the name of the position held, the obligations to be fulfilled by the employee, the validity period of the contract, the terms of compensation, the rules for terminating the contract, the rights and obligations of the parties, the rules for making changes to the contract;

## 5. In order to determine the suitability of the person for the work to be performed, by agreement of the parties, it is possible to conclude an employment contract with the employee only once with a trial period of no more than 6 months.

## 6. Work during the trial period is paid. The amount of compensation and the method of payment are determined by the agreement of the parties.

## **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. Transfer to another job:**

## 1. Transfer to another job is allowed only with the employee's consent, the employee's consent can be expressed by the employee's conclusive action - by performing the work taking into account the new position. In case of transfer to another job, an employment contract is drawn up between the parties taking into account the changed position and conditions, and an order is issued to transfer the employee to another position.

## 2. The request of the employee to be transferred to another job will be satisfied by the administration if the offer is acceptable to the employer;

## 3. The employee must be informed about changes in working conditions one month before the changes;

## 4. The employer has the right to specify, by notification to the employee, the specific circumstances of the performance of the work stipulated in the labor contract, which do not change the essential conditions of the contract. And the essential conditions of the contract will be changed only on the basis of the written agreement of the parties;

**Article 7. 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 employment contract (if the contract is concluded with a corresponding term) and 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 reason(s) 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 last working day at the university is considered the day of dismissal of the employee;

4. The Human Resources Management and Development Office 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 Human Resources Management and Development Office, 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 is declared in an intoxicated state, under the influence of narcotic or toxic substances;

b) the employee violates the requirements established by the labor contract or these internal regulations or systematically misses work for an unfair reason, if another measure of disciplinary responsibility was applied to him in the last one year.

c) Unprofessional performance of work by the employee occurred, which resulted in expenses of other employees, additional university or other expenses, and/or caused dissatisfaction of students/lecturers, which is considered a gross violation of the obligation imposed by the employee;

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

e) the employee misuses the labor authority, which is considered a gross violation of the obligation imposed by the employee;

f) carries out such an action that harms the interests of the university and tarnishes the image of the university, which is considered a gross violation of the obligation assumed by the employee;

g) There will be another case, which in each specific case can be considered a violation/gross violation of the obligations assumed by the employee.

h) The employee grossly violates the obligations imposed by the labor contract and/or internal regulations.

7. In the case of premature termination of the employment contract (for personal reasons) on the initiative of the employee, in addition to the obligations specified in the contract, he is also obliged to hand over the work to his replacement (if any) or to another person determined by the university within no more than two weeks;

8. The contract will be terminated in other cases stipulated by the Labor Code of Georgia and the contract; Among them, the grounds for terminating the contract are:

- expiration of the employment contract;

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

- performance of the work stipulated by the labor 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, considering mutual interests, justifies the termination of the contract).

- Entry into legal force of a court judgment 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;

**Article 8. Duration of the working week, starting and ending time of daily work, rest time**

1. Working hours are determined according to the academic calendar approved by the rector of the university;

2. 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;

3. A 5-day working week is defined for administrative and support staff of the university, except for overtime work.

4. Working hours for administrative and support staff include 40 hours per week.

5. The work schedule for administrative and support staff is determined individually, according to the specifics of the department/ Office /school and may be defined as follows:

8:30 - 17:30 or 09:00 - 18:00, except in exceptional cases, during the 1 (one) hour break, the employee is allowed to leave the workplace.

6. The distribution of working hours/days can be changed after mutual agreement between the employee and the employer, upon request of one of the parties (which the employee must notify in writing to the Human Resources Management and Development Office) or the change may be caused by relevant changes in the academic calendar of the university.

7. Staff reporting to work and leaving the workplace are recorded in the so-called special technical means. using the "tourniquet" system. Registration in this way is mandatory for each employee. During the business visit, each employee is obliged to leave a written message at the Human Resources Management and Development Office and provide information confirming the planned meeting.

8. 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.

9. In accordance with the data on arrival and departure, the Human Resources Management and Development Office is authorized to take appropriate measures in case of tardiness/absence from work by employees for illegitimate reasons;

10. The work of university staff on holidays and weekends, during breaks or after the end of working hours, is voluntary and unpaid.

**Article 9. Duration of paid and unpaid leave and the manner of giving it;**

1. A university employee enjoys an annual paid vacation in the amount of 24 working days.

2. The employee has the right to take leave without pay, which is defined as 15 calendar days per year. The employer reserves the right to grant more than 15 calendar days of leave if necessary.

3. The employee has the right to request leave after 11 (eleven) months of employment. With the agreement of the parties, leave can be granted even before the expiration of the mentioned term. Also, according to the decision of the rector of the university, the right to leave can be granted to the employee if he presents a certificate of 11 months of continuous office in the previous job.

4. Leave is issued by the rector's order;

5. When taking paid leave, the employee is obliged to notify the employer no later than 1 (one) week in advance and fill out the leave request form. which must be confirmed by the signature of the immediate supervisor and the head of the Human Resources Management and Development Office. Only on the basis of complete filling and presentation of the said form, any type of leave will be issued by order.

6. When taking leave without pay, the employee is obliged to notify the employer no later than 1 (one) week in advance, unless the notice is impossible due to an urgent medical or family situation.

7. The employee has the right to distribute the paid leave within the limit amount by agreement with the employer.

8. During the calendar year, vacation schedules and order are determined taking into account the proper and smooth course of the educational process, in agreement with the university management.

9. The university is authorized to determine the sequence of paid leave for the employee during the year;

10. The rector of the university, the immediate supervisor of the employee and the head of the human resources management and development office have the right to refuse to give consent in extreme cases, if in a given period, based on the operational necessity, it is not appropriate for a specific employee to take leave, unless the reason for taking leave is honorable.

11. If the granting of paid leave to the employee in the current year may negatively affect the normal course of work, and the employer is in a force majeure situation, with the consent of the employee, it is allowed to transfer the leave to the next year. It is not allowed to carry over paid leave for 2 consecutive years, in this case, the employee will not be able to use the unused/remaining days of paid leave.

12. It is not allowed to replace annual paid leave with monetary compensation, unless the dismissed person has not taken advantage of the leave.

13. Depending on the operational necessity, it is allowed to call the staff from vacation, with his/her consent. In such a case, the employee has the right to use the remaining days of the interrupted leave in accordance with the applicable rules.

14. During the paid leave, the employee will be given a salary in the amount of official salary.

15. University employees have the right to take additional, paid leave in the following cases:

a) marriage - 7 (seven) working day leave;

b) Death of a family member - 5 (five) working days leave (for the purpose of these internal regulations s, a family member means: mother, father, child, grandchild, spouse, sister, brother, grandparents, mother-in-law-father-in-law, mother-in-law-father-in-law);

c) Death of a close family member: 1 (one) working day leave (for the purposes of these internal regulations, a close family member means: uncle, cousin, aunt, aunt, cousin, cousin, wife's son-in-law, wife's sister, cousin, mother-in-law, son-in-law, sister-in-law , godfather/godfather);

d) family member's fortieth day - 1 (one) day vacation;

d) birth of a child (for men) \_ 3 (three) days leave;e) baptism (own baptism, child's baptism or godparent status) - 1 (one) day leave;

f) best man - 1 (one) day leave;

g) Marriage of a family member - in the city of Tbilisi - 1 (one) day, outside the city - 2 (two) days.

**Article 10. Maternity leave**

1. On the basis of his request, the employee is given leave due to pregnancy, childbirth and child care in the amount of 730 calendar days;

2. 183 calendar days of leave due to pregnancy, childbirth and child care are paid, and in case of childbirth complications or the birth of twins - 200 calendar days;

3. The employee can, at his discretion, allocate the leave to the pregnancy and postpartum period;

4. During the first 3 (three) months of maternity leave, administrative and support personnel are paid 50% of their salary, and for the remaining 3 (three) months - 25% of their salary.

**Article 11. Staff secondment**

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 present the cost estimate for the business trip on time, the corresponding amount of the business trip will be deducted from the salary.

**Article 12. Time and place of payment of labor remuneration and mission funds**

1. The university employee's salary for each calendar month is paid once a month to the employee's plastic salary card by charging the corresponding salary no later than the 10th of the following month.

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

##

**Chapter II**

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

**Article 13. The procedure for reporting non-appearance at work**

1. In case of absence from work for a well-known reason, the university employee is obliged to notify (in writing, then to the electronic address hr@ibsu.edu.ge) at least two days before the absence to the immediate head of the relevant structural unit and the Human Resources Management and Development Office.

2. In case of non-appearance or lateness to work without a known reason, after reporting to work, the employee must submit an explanatory card (written by e-mail) regarding non-appearance/lateness to the Human Resources Management and Development Office. The Human Resources Management and Development Office will take appropriate measures in agreement with the employee's immediate supervisor and the university management.

3. During 1 calendar month, 5 times of 15-minute delay will be considered honorable, and the following measures will be taken above the mentioned limit:

a) dishonorable lateness/early departure - deduction of 1% of salary;

b) every subsequent lateness/early departure - deduction of 2% of salary, etc.;

4. If the employee misses working hours without honor, the amount of the daily salary for the missed days (calculated in the current month) will be withheld from his/her salary.

5. In case of dishonorable lateness or early departure, in addition to financial sanctions, disciplinary measures may also be taken.

6. In case of an unjustified reason, the daily salary will be deducted for 3 (three) hours or more during working hours.

**Article 14. Absence from work due to honorable reasons**

Absences will be considered honorable for the following reasons:

1. Missing working hours due to illness for up to 5 days, in case of presentation of a doctor's note/appointment and/or a document confirming the illness in any form;

2. In case of missing working hours due to illness for more than 5 days, a bulletin (medical certificate) must be submitted to the Human Resources Management and Development Office;

3. In case of illness of the child, the certificate of the child from the medical institution must be presented in agreement with the employer for no more than 1 (one) week, except for exceptional cases, which will be considered individually by the rector.

**Article 15. Rest days**

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 16. 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 17. Norms of ethics and conduct**

## 1. Each employee at the university 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. The employee is prohibited from:

## a) 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.

## b) 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;

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

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

## 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) Entering with a firearm, gas or pellet gun (if the student has the right to carry a weapon, he is obliged to hand over the weapon to the security office of the university before leaving the mentioned area).

## g) 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.

## h) It is forbidden to bring liquid food, open cup/bottle (without lid), drink (coffee, carbonated drinks) (without lid) or any 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. The legal instructions/warnings of the Human Resources Management and Development Office of the University regarding the prohibitions established in the University are mandatory to be followed;

## 7. In case of violation of the rules of conduct, the Human Resources Management and Development Office 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 18. Dress style of university employees

1. The university staff is obliged to follow the dress code of the university:

2. All employees of the university (except technical staff) are obliged to report to work in moderately classical style clothes. It is forbidden to wear light-colored jeans, sports clothes and shoes.

**Article 19. University standards**

1. The phrase "name, surname - we're listening" is established as the standard for answering phone calls for university employees.

2. The culture of writing in Georgian script when sending e-mails;3. Necessary indication of the name of the subject when sending an electronic message;

4. Indication of signature and identifying data on e-mail;

5. Before taking any type of vacation or day off, it is mandatory to fill out the appropriate form and set up an autoresponder on the e-mail.

6. In order to ensure security in the university, the internal and external perimeter of the university is being filmed with surveillance cameras, about which special notices are posted in the university and which the university employees are aware of.

**Chapter IV**

**Encouragement and disciplinary responsibility of university staff**

**Article 20. Staff incentives**

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

a) declaration of thanks;

b) early removal of previously imposed disciplinary fines;

c) awarding with a one-time monetary amount/premium;

d) promotion;

e) increase in remuneration.

2. The rector 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 submission of the vice-rector, school dean/department/head of office

## **Article 21. 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 stipulated by the code of ethics, labor contract, these internal regulations, norms of ethics and orders of the employer, violation of generally recognized rules of conduct shall be considered as a disciplinary offense.

## **Article 22. Disciplinary sanctions against university employees**

## 1. It can be applied to the university employee

## 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/termination of employment contract;

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

## Warning - 1 month

## Reprimand - 6 months

## 3. 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;

## 4. 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.

## 5. The meeting of the Academic Integrity and Discipline Protection 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);

## 6. For each violation of labor discipline and/or principles of academic integrity, appropriate disciplinary penalty(s) may be applied;

## 7. 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 by applying to the rector of the university;

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

## 9. 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.

## 10. Disciplinary procedure with personnel management policy document.

## **Article 23. Removal of disciplinary responsibility**

## 1. Based on the presentation of the head of the human resources management and development office, the employee's direct supervisor or the dean, the university rector has the right to remove the relative disciplinary responsibility of the staff member early if he has not committed a new offense 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 rector of the university.

## 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 24. Internal regulations and University Mission**

## Administrative and support staff, upon entering into an employment contract with the university, are informed of the labor regulations and the mission of the university.

## **Chapter VI**

## **Additional provisions**

## **Article 25. 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 unit(s) or transfer the issue to the disciplinary commission for consideration, and the final decision will be made based on the report of the reviewing structural unit(s) by the rector of the university. Disciplinary proceedings must be started and completed within 1 (one) month after the discovery of the fact of violation. If necessary, based on the request of the researcher/commission, the mentioned term may be extended by no more than 6 (six) months. After the expiration of this period, the employer's right to initiate disciplinary proceedings is nullified.

## 2. The employee has the right to contact the ombudsman's office at the university for consultation. The ombudsman advises administrative and support staff on matters relating to their rights and duties, and 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 26. Amendments to the labor regulations.**

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

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

## **Article 27. Entry into force of the intenal regulations:**

## 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. Internal regulations shall enter into force upon review and approval by the Governing Council of the University.