

CREDIBILITY AND EFFECTIVENESS OF GEORGIA'S LABOR INSPECTION PROCESS

Report Summary (published November 2023)

[This report](#), published on 27 Nov 2023, examines factors that hinder the effectiveness and reliability of Georgia's Labor Inspectorate and evaluates the Fair Labor Platform's experiences in cooperating with the body.

It is based on the research of Fair Labor Platform member organizations and their beneficiaries since the expansion of the Labor Inspectorate's mandate in 2021. The document analyzes their experiences and challenges and includes several recommendations for improving the Labor Inspectorate's effectiveness.

Methodology and limitations



The research is based on in-depth interviews with the Inspectorate and Fair Labor Platform member organizations. It is also based on an analysis of hundreds of labor inspection protocols/reports obtained through freedom of information requests. These reports are available to the public on the

Platform's [Labor Rights Monitor](#).

The report's focus is on the main trends identified as challenges by our member organizations. Most findings fall under two thematic categories: workers' **confidence and trust** in the Labor Inspectorate and the **perceived effectiveness** of inspections in eliminating violations.

The report is not presented as a complete assessment of the Labor Inspectorate's activities, but rather an assessment of the experiences of Fair Labor Platform member organizations, including independent trade unions.

Part 1: Factors influencing trust in the Labor Inspectorate

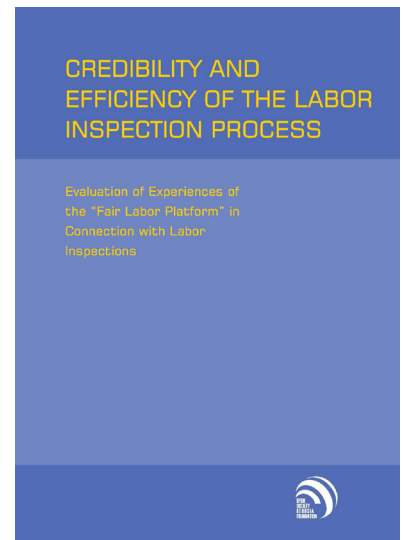
The first part of the report examines factors that weaken confidence in the labor inspection and lead employees to avoid any involvement with the body. Key findings include:

Identification of complainants: The format for filing complaints requires identification of the complainant, which creates barriers for employees who wish to report violations to the Inspectorate.

Confidentiality protection: Due to lack of alternative mechanisms for the protection employees' identity during the inspection process, the identity of complainant employees have become known to the employer.

Communication with employees: Some employees did not receive clear information regarding legal guarantees related to protection of confidentiality.

Perceived favoritism: Many respondents surveyed felt that the labor inspector was working more closely with the employer than the employees.



[Click to download the report \(via shroma.ge\)](#)



Part 2: Factors affecting the effectiveness of the Labor Inspectorate

The second part of the report is devoted to the inspection process and proposes improvements that could lead to better identification of labor violations and more timely remedies. Key findings include:

Not enough re-inspections: The number of re-inspections conducted to correct violations identified on the basis of the Labor Code is small.

Inflexible or inappropriate deadlines to correct violations: The deadline set by the Inspectorate for the correction of violations is usually predetermined and in many cases does not have a logical relationship with the content of the violation. Many violations should be corrected immediately, but employers are given weeks or even months to correct them.

Lack of sector specific inspection plans: During inspections, the questions asked by the inspector do not always correspond to the specific needs of that particular workplace.

Summary of recommendations

To increase workers' trust in the Labor Inspectorate:



- Promote reliable and flexible formats for filing complaints for employees.
- Introduce and utilize mechanisms for to protect the identity of employees participating in the inspection process (which bind the employer as well).
 - Create mechanisms that guarantee the safety and protection of workers whose identities might still be revealed after the inspection process.
- Ensure strict confidentiality during interviews with employees in private spaces strictly protected from the presence of the employer or the employer's representatives.
- Clearly and accurately communicate to interviewed employees their legal obligations and rights related to confidentiality.
- Guard against appearing to favor employers, including by ensuring that interviews include employees who are critical of the employer or who are trade union members.

To increase the Labor Inspectorate's effectiveness:



- Substantially increase the number of re-inspections carried out and strictly observe deadlines for re-inspections.
 - In reporting statistics to the public, distinguish between initial and subsequent re-inspections so that the true scale of each can be accurately measured. Also, the number of inspections conducted under special regulations should be clearly distinguished from general inspections conducted under the Labor Code.
- Develop mechanisms to ensure that more violations are corrected immediately, particularly those which do not require extensive time to address or which are grave violations of employees' rights.
- In cases where more time is objectively required to correct a violation, determine that period after consultation with the parties (including employees), taking into account the type and severity of the violation.
- Develop inspection questionnaires that better focus on the specific risks and modalities found in each sector – e.g., supermarkets, medical clinics, mines and so on.

