|  |  |
| --- | --- |
| Date of assessment  | July, 2020 |
| Assessor  | Pharnaozi Dvali  |
| Field of activity | Information Technologies, Office Activities |
| Address/Contact Information |  |
| Head of the institution | Revaz Barbakadze  |
| Number of employees |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Total  | Woman | Man | Adolescent | A person with a disability |
| 0 | 0 | 0 |  |  |

 |
| Person responsible for safety of labor  | The company does not have at this stage  |

Within the frame of the agreement signed with the Rustavi Innovation Hub in July 2020, the project that will be implemented by the Red Panda Group evaluated for the purpose to determine compliance with safety standards of labor.

Within the frame of the assessment both labor rights and technical safety were checked and the analysis of compliance with existing legislation. The assessment was done according to both current and planned activities.

The recommendations were done with considering the current legislative requirements and international good practice.

The fulfillment of these obligations will be mandatory after the implementation of the project, but does not require prior appeal and permission from the Labor Inspectorate for the purpose to determine compliance. If the Labor Inspectorate inspects the organization, it will assess compliance, issue recommendations or use the sanctions in case of violations.

In order to bring the working conditions in compliance with the legislation of Georgia and international standards in the future, the following recommendations were issued:

|  |  |
| --- | --- |
| Regulation / Standard | Recommendation |
| Recommendations for service/office activities related to New Coronavirus (SARS-CoV-2) infection (COVID-19)  | Develop the plan for working in an emergency situation;Control the health of employees and visitors by the thermos screening;Instruct employees about the new corona virus;Post information about COVID-19 in the workspace;Workplaces should be provided with the possibility for hand washing, appropriate soap and other hygiene items; As well as a hand cleansing solution containing 70% alcohol;Periodic ventilation of the workspace should be provided;There should be sanitary breaks in every 2 hours;Provide a covered bin in the workplace to place used hygiene items;Place the disinfection barrier at the door with the appropriate markings;Provide a distance of 2 meters between workplaces.  |
| “About Labor Safety” Article 6. Part 1. Subparagraph e) Develop a policy of the consistent preventive measures that should take into account the specifics of the production environment and the work process. | The ILO-OSH 2001 system established by the International Labor Organization (ILO) should be introduced, where the creation of a policy document is primarily taken into account.  |
| About Labor Safety, article 7, part 2. Employer with 20 or less than 20 employees can execute the obligations of the safety specialist him/her self under the condition that he/she has attended the accredited program which complies with item 6. If employer has 20-100 employees, he/she is obligated to have at least 1 labor safety specialist and in case of having more than 100 employees, the employer is obligated to create labor safety department with at least 2 labor safety specialists. | Considering these kinds of danger, a responsible person must be appointed to attend labor safety program at accredited organization, per part 6 of the same article. The labor safety specialist must have attended labor safety specialist program at accredited organization or must invite other labor safety specialist to implement relevant methods, estimate risks that complies with requirements of international organizations.  |
| About Labor Safety, article 6, subparagraph B) to estimate risks and dangers that can’t be solved.About determining the health safety requirements and minimal standards of the workplace for working with monitor-equipped devices – technical regulations – The employer is obligated to identify and estimate the risks and dangers in order to ensure the health care situation especially in cases which interacts with eyesight, other physical and/or mental problems and risks.  | Risks must be assessed in such a way to meet the requirements of the International Labor Organization (ILO).Estimation of risks and identification of dangers must be implemented completely at the workplace. The estimation of risks must be defined as a complex of events, which includes identifying, analyzing, estimating and preventing the dangers related to the working process.  |
| About Labor Safety, article 5, part 2. Considering the size of the organization, the amount of employees, working conditions, quality and structure of dangers, the employer is obligated to provide relevant trainings for employees about: a) the rules and principles of safe labor and other legal information; b) the rules and instructions of using different machines, devices and equipment to ensure their safe utilization; b) the plan of evacuation and other force-major situations. | A special action plan must be prepared accordingly to the resolution 452 of Georgian government “The rules of preparing special action plan”. |
| About Labor Safety, article 6, part 2, subparagraph 9) employees or other persons under usage of alcohol, drugs or other psychotropic medicaments aren’t allowed at the workplace. For this situation, a group must be created accordingly to the internal regulations to supervise this mentioned process. | Alcohol and drug policy and internal order must be prepared, which must include the prohibition and the person responsible for control.  |
| About Labor Safety, article 5, subparagraph d) unfortunate accidents, professional diseases and dangerous cases must be recorded at the workplace and handed over to the employee or representator of the employee if required. | Professional diseases must be identified and recorded accordingly to the order 01-11/N of Minister of Georgia “about rules and methods of identifying, recording and financial reporting of accidents and professional diseases at the workplace” and an internal procedure must be created. |
| About Labor Safety, article 5, subparagraph d) unfortunate accidents, professional diseases and dangerous cases must be recorded at the workplace and handed over to the employee or representator of the employee if required. | Recording and financial reporting of any types of accidents must be implemented accordingly to the order 01-11/N of Minister of Georgia “about rules and methods of identifying, recording and financial reporting of accidents and professional diseases at the workplace” and an internal procedure must be created. |
| Resolution 370 of government of Georgia about safety rules and conditions in case of fireArticle 7, part 3. Social and industrial facilities must be equipped with firefighting equipment accordingly to requirements of this technical regulations. The primary firefighting equipment placement must be identified by relevant safety marks. Article 8, part 1. During exploiting the evacuation routes and exits, the amount, size, lighting and other planning decisions of evacuation routes and exits must be provided, the provision of fire safety signs must also be ensured. | Type and number of signs must be defined at the workplace and must be utilized for labeling.  |
| Resolution 69 of government of Georgia, technical regulations – article 1, part 2 about approving of the hygienic requirements of microclimates of the industrial stores. Present technical resolution includes characteristics of all kinds of industrial stores’ microclimates and it is an obligation for every enterprise and organization. The indications of requirements of sanitary rules must be included in the normative-technical documents, that regulates the technological, engineering and sanitary-technical devices predefining hygienic norms of microclimates and exploitation characteristics of industrial facilities. | Mentioned parameters must be measured and relevance control must be conducted. Depending on company’s specifics, the parameters to measure are: lighting of the workplace, air temperature, moisture, velocity of movement. |
| Resolution 370 of government of Georgia about fire safety rules and conditions, according to the requirements of table 5, the type and number of fire hydrants must be selected | Number and primary type of firefighting equipment must be determined considering the requirements and must be acquired to be placed in appropriate places.  |
| Tobacco Control law of Georgia, article 8, subparagraph d) The rules and relevant signs about prohibition of smoking, also contact info of the facility/physical person to be contacted in case of violating the rules of smoking prohibition, must be placed In entrances and other visible places of the building and/or territory defined by the first item of this article.  | The workplace be arranged with appropriate information/prohibition stickers. |
| About Labor Safety, article 8. First aid, fire safety, evacuation, increased danger 1. The employer is obligated to: a) take relevant actions to ensure the evacuation, fire safety and first aid are provided accordingly to size of the facility and other conditions. | A first aid kit box should be purchased, in which the medicines would not be and only the first aid kits will be. Provide training to employees about first aid.  |
| About Labor Safety, article 5, part 2. Considering the size of organization, number of employees, work conditions, degree and structure of dangers and other relevant risks, the employer is obligated to ensure that the trainings and instructions are provided for the employees in their native/preferred language. Technical regulations – about the minimum safety requirements when working with monitors - The employer must provide relevant teaching (training) and instruction related to working activities with monitor devices: a) Before the work is done (initial instruction);b) During significant changes of working places (repeated instruction);c) In other cases provided by the Organic Law of Georgia about “Labor Safety”. | Based on the risk assessment document, the topics of training/instruction should be determined by the labor safety specialist working together with the heads of company, Working together with the management of the company, create training modules, schedule and conduct relevant trainings.  |
| Technical regulations – about the minimum safety requirements when working with monitors - organizing of working environmentThe employer should plan the employee's activities in such a way in order to reduce the total time of working with the monitor and it will be periodically interrupted by taking breaks or work related to his/her activities.  | The work should be organized in such a way to reduce the total time spent working with the monitor, for this purpose frequent short breaks, shifts or work rotations can be used. |
| Technical regulations – about the minimum safety requirements when working with monitors – In order to protect the eyes and eyesight of the employees, the employer, in case of request of the employee, should ensure the inspection of the employees' eyesight by the relevant specialist:The employer must provide the employees with special corrective means for the performance of a particular job if the results of the assessment indicate the necessity of this and if it is impossible to use the usual corrective means.  | Provide medical insurance for employees where the possibility of periodic medical examination will be determined. On the basis of the risk assessment, labor safety specialist should determine the corrective measures.  |
| Technical regulations – about the minimum safety requirements when working with monitors – Working device  | Monitora) The symbols shown on the monitor must be well defined and shaped, adequate size and an adequate distance between these symbols and lines must be maintained;b) The image on the monitor must be stable, without flicker and other instability;c) The employee should be able to easily adjust the brightness of the screen and/or the contrast between the characters and the background. Also, it should be possible to easily adapt/adjust the monitor and the symbols on it to the environmental conditions;d) It should be possible to easily and freely rotate and divert the monitor according to the needs of the employee;e) An additional/separate stand may be provided for the screen, monitor or adjustable table;f) The monitor should not be reflective, nor should it have a reflection (brightness) that would cause discomfort to the employee;g) The optimal distance between the employee's eye and the image on the monitor (observed by the employee) depends on the size of the detail and is recommended to be with the range from 500 to 700 mm. Keyboarda) The keyboard should be separate from the monitor and the divert of it should be possible for the purpose to employee could choose a comfortable working position to avoid fatigue of the hands and wrists, unless the employee is employed through laptops, netbooks and other similar devices.b) Enough space must be in front of the keyboard, so that the employee can rest his hands and wrists on the work surface;d) The keyboard should have a matte surface to prevent reflection;e) The design of the keyboard and the size of the keys should be in such a way that the use of it will be easy;f) The symbols on the keys should be adequately outlined and should be easily recognizable from the employee's job position.Working table or working surfacea) The working table or working surface should have a sufficiently large, non-reflective surface where the screen, keyboard, documents and other equipment can be conveniently placed; b) The document holder should be firm and adjustable, should be positioned so as to minimize uncomfortable eye and head movement;c) Employees should have enough space to find the comfortable position for them. Working chair The working chair must be sustainable, adapted to the work environment and meet the minimum safety requirements.The relevant standards should be taken into account in the purchase process, in case of already purchased equipment, it should be evaluated and gradually replaced with equipment that complies with the standard. |
| Technical regulations – about the minimum safety requirements when working with monitors - organizing of working environment | Requirements regarded the workplacea) the ergonomic characteristic of the working space must comply with the established requirements as much as possible;b) The volume of work space for one person should be at least 3 m2;c) The workplace should be designed in such a way that the employee can easily move and change position.Illumination a) Lighting of the working environment and/or workplace should be provided with sufficient light, but not less than 200 lux in case of combination of the natural and artificial lightning and in case of absence of natural lightning, not less than 300 lux in the alternative system considering the workplace. b) Sufficient contrast must be created between the monitor and the background behind it;c) With respect to illumination, the type of work and requirements of the employee's sight must be taken into account;d) Possible reflection and brightness from lighting to the monitors and other equipment should be avoided through placement and coordination with each others of artificial lighting and workplace;e) The employer must provide measurement of lightning of the working space by the special calibrated lux-meter and its further monitoring. It is also possible for the employer to conduct periodic measurments through services with appropriate competencies.Reflection and brightnessa) Workplaces should be arranged in such a way that light sources (eg windows, other openings, transparent or light-transmitting partitions, brightly colored lamps or walls) do not produce direct brightness and reflections on the monitor; b) When arranging the workplace, it should also be taken into account that the windows in the workplace should have appropriate covering and adjustable devices that will regulate the daylight entering the workplace.Noise a) The workplace must be arranged in such a way that the noise emitted by the devices located in it does not cause distraction and hindering conversation;b) The employer shall periodically provide special calibrated noise meters to measure and monitor noise levels in the workplace and working environment by the periodically use of his own calibrated measuring instruments or hired services with relevant competencies.c) Due to the specifics of the work, the requirements for measuring noise and setting norms are defined by the Order N297/n of the Ministry of Internally Displased Persons From the Ocuupied Territories, Labour, Health and Social Affairs of Georgia about “the approval of norms of qualitative conditions”.Temperature, humidity and air movement speeda) All equipment used on the workplace should not emit excessive hotness so that employees do not experience discomfort during working process. b) The employer is obliged to ensure constant control of temperature and humidity in the working place.c) When implementing the working process, norms of temperature, humidity and air movement are established by technical regulation – according to Resolution N69 of the Government of Georgia about the approval of hygienic requirements for the microclimate of industrial premises. Radiationa) Except for the visible part of the electromagnetic spectrum, the level of all other types of radiation should be reduced to such insignificant levels as to exclude a risk for the safety and health of employees.b) All items and equipment that emit radiation beyond the permissible level of radiation may not be placed in the working space, unless it is placed in compliance with the rules of Legislation of Georgia.The ring for operator/computer connection (Interface)When creating, selecting, ordering and modifying computer programs, as well as planning the activities that require the use of a monitoring device, the employer should consider the following principles:a) The computer program must be suitable for a specific activity;b) The computer program must be easily usable and, if necessary, adaptable to the knowledge and experience of the employee;c) No software system and/or equipment should be used for quantitative and qualitative control without informing the employee;d) Software systems must provide employees with the information about the work, which they have done;c) Systems should provide information at a speed and format that is tailored to the employee;d) The ergonomic principles of computer programs should be used when processing data by an employee. Labor safety specialist must assess the working environment in accordance with the standards, measure environmental factors and take appropriate corrective events.  |
| Labor rights |
|  |
| Selection, Stage of employment   | You can ask a candidate to provide only the information you need to make an employment decision about him/her. In turn, the candidate is obliged to inform you about any circumstances that may interfere his/her performance of the work or endanger the interests of you or a third party. The candidate is obliged to notify such circumstances despite you request this information or not. You have the right to check the accuracy of the information submitted by the candidate. The candidate has the right to request the documents submitted by him/her, if you do not sign an employment contract with him/her. The information obtained by the employer about the candidate and the information submitted by the candidate is confidential and should not be available to other persons without the consent of the candidate, unless the cases provided by law (for example, request of investigative bodies). |
| Selection, Stage of employment  | You are obliged to provide information to candidate: - about the work that will be performed;- about the form (written or oral) and the term (defined or indefinite) of the agreement;- about working conditions;- about the legal status of the employee during the employment relationship;- about the salary.If you do not sign an employment contract with the candidate, you are not obliged to justify tour decision about refusing the employment.  |
| Agreement  | An employment contract will be made in writing or oral form. If the employment relationship lasts for more than 1 month the employment agreement must be concluded in written form.The employment agreement must include the following information:- Date of starting the work and duration of employment;- Working hours and resting time;- Working place;- Position and type of work that will be performed;- The amount of salary and the method of payment;- Rules for overtime payment;- Duration of paid and unpaid vacation and the rule of granting vacation. For these purposes, a written internal labor document should be developed, which may define the terms of the employment relationship, including:Duration of working week, time of start and end of daily work, duration of shift while working in shifts; Duration of rest; Time, place and rule of labor salary; Duration and rules of giving paid and unpaid vacation; Rules for protection of working conditions, type and rules of use of encouragement and responsibility; Procedure for reviewing the statement/complaint.If the internal rule is part of the employment agreement, the employer is obliged to introduce the document before concluding the employment contract or any subsequent changes in it to the employee.  |
| Term of the agreement  | In case of concluding the agreement with term of less than one year, the conditions of the contract must meet the following requirements:- Work with a specific volume has to be performed; - Seasonal work has to be performed;  - The volume of work temporary increases; - An employee temporarily absent from work on the grounds of termination of employment will be replaced; - There is another objective circumstance that justifies concluding the agreement for a certain period of time;- As an exception, the agreement with term of at least three months may be concluded if 48 months have not passed since the state registration of the entrepreneur. |
| Employment of a minor | The legal labor capacity of a physical person arises from 16 years of age. Accordingly, a 16-year-old person has the right to enter into an employment contract without the consent of his / her legal representative or legal guardian/custody body.In the case of a minor under the age of 16, the consent of his/her legal representative or legal guardian/custody body is mandatory. In addition to such consent, the law requires that working relationship should not conflict with the interests of a minor, should not harm his or her moral, physical or mental development, and should not restrict his or her right and opportunity to receive compulsory primary and basic education. When concluding agreement these issues should be taken into account.  |
| Language of the agreement  | The written employment agreement shall be made in a language, which is understood by the parties. The written employment agreement shall be made in several languages. If the written employment agreement is concluded in several languages, it must include information about in which language the agreement is superior in case of discrepancies between the provisions of the contracts. |
| Probationary period | For the purpose to determine the suitability of a person for the work to be performed, only once, for a period of not exceeding to 6 months, it is possible to make employment contract with employee for a probationary period. The employment contract for a probationary period will be made only in written form. Please note that work in probationary period is payable and in case of termination of the probationary employment contract, the employee's labor shall be remunerated in accordance with the worked time. |
| Working time  | The working time for an employee should not exceed 40 hours per week;The duration of working hours for a minor between the ages of 16 and 18 should not exceed 36 hours per week;The duration of working hours for a minor between the ages of 14 and 16 should not exceed 24 hours per week;It is forbidden to employ a minor, pregnant, woman who recently gave birth or breastfeeding woman in night work (from 22:00 to 6:00), and employment of a caregiver of a child under 3 years of age or a person with disabilities - without his/her consent;By agreement of the parties, it is permissible to give the employee additional rest time in exchange for overtime salary. By agreement of the parties the overtime work is considered to be the work performed by the employee for a period of time longer than 40 hours per week for an adult, 36 hours per week for a minor between the ages of 16 and 18, and 24 hours per week for a minor between the ages of 14 and 16. |
| Vacation | The employee has the right to request vacation after eleven months of work, however, by agreement of the parties, the employee may be granted vacation before the expiration of the said period. The employee has a right to use paid vacation at least 24 working days per year and unpaid vacation at least 15 calendar days per year. This issue should be reflected in the employment contract or bylaws. |
| Salary  | The salary is paid once a month. In case of delay in payment of salary, the employer is obliged to pay 0.07 percent of the delayed amount to the employee for each day of any payment or day of delay.  |

References:

Organic Law of Georgia Labor Code of Georgia <https://matsne.gov.ge/en/document/view/1155567?publication=16>

Organic Law of Georgia about the safety of labor <https://matsne.gov.ge/en/document/view/4486188?publication=1>

Resolution of the Government of Georgia **on the approval of technical regulations about the fire safety rules and conditions** [**https://matsne.gov.ge/en/document/view/2922754?publication=0**](https://matsne.gov.ge/en/document/view/2922754?publication=0)

**Mandatory recommendations of the Government of Georgia** Recommendations for service/office activities related to New Coronavirus (SARS-CoV-2) infection (COVID-19) <https://www.moh.gov.ge/uploads/files/2020/Failebi/01_227brdzaneba_danartebit/Danarti_N3_Momsaxurebis_Saofise_Saqmianobebi_01-227.pdf>

Regulation about safe work with monitors

**Technical Regulation – about confirmation of Hygienic Requirements for the Microclimate of Industrial Premises** [**https://matsne.gov.ge/ka/document/view/2198183?publication=0**](https://matsne.gov.ge/ka/document/view/2198183?publication=0)

|  |  |
| --- | --- |
| Date of review of the document: "Report about the assessment of safety in the workplace” | 19 July, 2020 |
| The present report is agreed with parties and is accepted by them, which is confirmed by signatures.  |  |
| Number of pages | 20 |
| Revaz Barbakadze |  |
| Pharnaozi Dvali  |  |