

LAW OF GEORGIA
ON FACILITATING EMPLOYMENT

Chapter I General Provisions

Article 1 Scope of the Law

1. This Law regulates state activities related to facilitating employment, and designates institutions responsible for facilitating a policy of active labour market and employment.
2. This Law does not apply to labour relations regulated by the Law of Georgia on Public Service.

Article 2 Definition of terms

For the purposes of this Law, the terms used herein have the following meanings:

- a) employer a natural or a legal person, or an association of persons, for whom certain work is provided under an employment agreement;
- b) employment the obtaining by a person of a job, including a temporary job that is relevant to his/her education, a short-term vocational education course he/she has undertaken, and/or his/her professional experience, and the health status and physical abilities of a person required for him/her to carry out the job;
- c) employment consultant a person who carries out activities prescribed by this Law for the purpose of providing a job to a job seeker and information on a job seeker to a potential employer;
- d) employment policy a combination of structures, measures and actions necessary to facilitate employment, which is based on the policy of an active labour market;
- e) employment facilitation measure services provided to job seekers and other persons provided for by this Law in order to facilitate the process of finding jobs and professional development; and services provided to employers in order to assist them in finding a suitable workforce to undertake appropriate work;
- f) employee a natural person carrying out certain work for an employer under an employment agreement;
- g) protected workplace the creation of such working environment by an employer, in agreement with the legal entity under public law called the State Employment Support Agency ('the Agency'), as is adapted to persons with disabilities/persons with special educational needs;
- h) the one-stop-shop principle simplified and unified procedures for facilitating employment, during which job seekers and employers receive all public services related to facilitating employment in a single space, thus saving material resources and time;
- i) career planning a process that helps job seekers to plan their professional future more effectively, and to choose or change occupation, taking into account their personal characteristics, interests, abilities, values, labour market requirements and development prospects;
- j) career planning specialist a person who drafts an individual career development plan for a job seeker and permanently works on the improvement and development of the plan;
- k) private sector legal entities under private law and individual entrepreneurs carrying out entrepreneurial activities and/or non-entrepreneurial, non-commercial activities;



- l) short-term vocational education course the professional training and retraining of job seekers in occupations in demand in the labour market in order to increase the competitiveness of job seekers and to facilitate employment, and to raise their qualifications in accordance with their formal and/or informal education and/or professional experience;
- m) vulnerable group a group of persons which, due to certain physical, mental or social characteristics, faces a higher risk of poverty and social hardship than the majority of the population of the country;
- n) supportive employment consultant an employment consultant who takes the measures established by this Law for the purpose of employing job seekers with disabilities;
- o) Agency a legal entity under public law called the State Employment Support Agency established on the basis of this Law;
- p) Ministry the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia;
- q) active job search the taking of active and purposeful actions by a person to find a paid job, including participating in competitions announced for vacant positions;
- r) job seeker an unemployed or an employed person who is actively seeking a job, is able to start working, and is registered in the database of job seekers of the Agency;
- s) intern a natural person who is temporarily sent to a relevant place of internship for a period of not longer than six months for the purpose of professional growth and the development of professional skills;
- t) unemployed a working-age person, from the age of 16 to retirement age, who at the time of registration as a job seeker does not have and seeks a paid job, and is ready to be employed with two weeks notice;
- u) appropriate job a job, including a temporary job that is relevant to a person's education, occupation, a short-term vocational education course he/she has undertaken, and/or to his/her professional experience, health status and the physical abilities required for the job; in addition, the remuneration determined and allocated for a full-time job shall be at least twice the subsistence minimum established in the country at that time;
- v) labour migration the facilitation of the legal employment of citizens of Georgia abroad, based on an agreement concluded between Georgia and the countries in question, on the condition that they be allowed to return and depart from Georgia again;
- w) labour market facilitation a combination of measures aimed at assisting an employer and a job seeker to contact each other;
- x) active labour market policy a combination of state measures in various fields that ensures the functioning of the labour market, improves its structure, and reduces the imbalance between labour market demand and supply, by developing the individual skills of participants in the labour market.

Article 3 – Purpose of the Law

1. The purpose of this Law is to facilitate the employment of the citizens of Georgia, the implementation of an active labour market policy, the development of free entrepreneurship and competition, and to provide equal access to state employment support programmes for citizens of Georgia residing throughout the territory of Georgia.

2. The implementation of the provisions of paragraph 1 of this article should:

- a) assist a job seeker in finding a job that will secure a decent life for him/her, as well as provide him/her with appropriate work conditions and a fair remuneration depending on his/her qualifications;
- b) ensure the offering of job positions to job seekers that are adjusted to their individual skills, knowledge and competences;
- c) help reduce the negative attitude of unemployed persons towards employment and increase their motivation to work;
- d) ensure a decrease in the level of unemployment in the State and an increase in social welfare through subsidising, qualification raising, high quality training, and other measures.



3. The purpose of this Law is also to establish a system of facilitating employment that shall ensure:

- a) the performance of labour market facilitation activities in order to achieve a balance between demand and supply;
- b) that a duly qualified job seeker finds an employer;
- c) the encouragement of a job seeker to be employed (to obtain a job or be self-employed);
- d) an increase in a workforce that is adjusted to the structural changes taking place in the Georgian economy.

Article 4 – Legal grounds for facilitating employment

The legal grounds for facilitating employment are: the Constitution of Georgia, the treaties of Georgia, this Law, other legislative acts of Georgia, and subordinate normative acts and legal acts issued on basis thereof.

Chapter II Principles of the Law

Article 5 – Individualisation of measures to facilitate employment

1. Measures to facilitate employment shall be oriented towards the individual skills and capacities, and the personal and professional development, of a job seeker.
2. With respect to a vulnerable group, and the population of mountainous regions, who face difficulties in terms of the availability of employment, the State shall ensure the use of special approaches.

Article 6 – Freedom to choose an occupation

A job seeker may, depending on his/her individual skills, and the employment opportunities available at a given time:

- a) choose the place, form, and type of employment;
- b) refuse a job if he/she does not possess the skills required to perform the job offered;
- c) undertake a short-term vocational education course to raise his/her qualifications.

Article 7 – Prohibition of discrimination

This Law prohibits all forms of discrimination in the process of facilitating employment, except where the unequal treatment serves to equalise employment opportunities for job seekers and where such discrimination is a proportionate and necessary means for achieving such goal.

Article 8 – Impartiality

When taking measures to facilitate employment, a legal entity facilitating employment is obliged to act impartially, independently, and only in accordance with the legislation of Georgia.



Article 9 – Motivation of a job seeker

The measures to facilitate employment established by this Law shall be directed towards the raising of a job seeker's motivation and to encourage him/her to be employed.

Article 10 – Cooperation between the public and private sectors

1. Employment facilitation activities shall be directed towards the demands of the labour market and employers.
2. The proactive measures of the State shall be focused on training highly qualified human resources oriented to the professional needs of employers.
3. The State shall efficiently manage an active labour market policy based on current labour market demands and constantly upgraded information, in active cooperation with the private sector.

Article 11 – Free, universal and accessible public services relating to the facilitation of employment

1. Labour market facilitation activities undertaken by the State to facilitate employment shall be free for job seekers and employers.
2. The facilitation of employment is universal and accessible for all citizens of Georgia.

Article 12 – The one-stop-shop principle

1. When receiving public services relating to the facilitation of employment, job seekers and employers shall be guided by the one-stop-shop principle.
2. The one-stop-shop principle envisages both a unified physical space and a unified electronic system.

Chapter III Basic Forms of Employment

Article 13 – Ensuring contact between an employer and a job seeker

Contact between an employer and a job seeker shall be ensured in four basic forms, as follows: employment, employment through subsidised remuneration, internship, and labour migration.

Article 14 – Employment

1. The following shall be taken into account when employing a person:
 - a) the person's education, a short-term vocational education course he/she has undertaken, and his/her professional experience;
 - b) the person's health status, and the physical abilities required to perform the relevant work;
 - c) time and costs of travel. Costs for travelling by public transport from a person's place of residence to his/her workplace shall not exceed 15 percent of his/her monthly remuneration, and the duration of travelling to and from the workplace shall not exceed three hours;



d) monthly remuneration for a full-time job. Said remuneration shall be at least twice the minimum subsistence level.

2. If a person refuses a job which complies with the conditions of paragraph 1 of this article twice without sufficient substantiation, such refusal shall serve as grounds for his/her de-registration as a job seeker.

3. The following circumstances shall not be considered as a non-substantiated refusal of a job under paragraph 2 of this article:

a) a person's health status;

b) if a person has been offered a vacancy in breach of the provisions provided for by this Law;

c) if a person is taking care of a minor under the age of seven, or a child with disabilities of any age;

d) if a person participates in a vocational training course.

Article 15 – Employment by means of subsidising remuneration

1. Employment by means of subsidising remuneration refers to an employer receiving a material benefit in the form of subsidised remuneration for the purpose of employing a job seeker who is:

a) a person with the status of refugee between the ages of 16 and 29 years;

b) a family member registered in the unified database of socially vulnerable families between the ages of 16 and 29, whose family rating score of social and economic status is lower than the score established by the Government of Georgia;

c) persons in and leaving state care between the ages of 16 and 29;

d) persons with disabilities;

e) persons with special educational needs;

f) any other person determined by a relevant ordinance of the Government of Georgia.

2. To employ a job seeker as specified by paragraph 1 of this article, an employer may apply to the Agency for a subsidy of remuneration, if he/she offers the job seeker an employment contract for an indefinite term, or for a minimum of nine months.

3. In order to pay to a job seeker a subsidy of remuneration for a job as specified in paragraph 2 of this article, the Agency shall conclude a contract with the job seeker. The contract shall include the following information/terms:

a) data on the person to receive a subsidy of remuneration;

b) the term of payment of the subsidy of remuneration;

c) the precise amount of the monthly remuneration;

d) the duties of the employer and the employee;

e) the length of the contract.

4. A subsidy of remuneration amounts to 50 percent financing of an employee's remuneration during one calendar month.

5. An employment agreement that provides for a subsidy of remuneration shall be concluded for not less than nine months. Such subsidy shall be given to an employee for not longer than three months.

6. An employer is obliged to refund the subsidy of remuneration fully if labour relations with an employee are terminated within six months following the conclusion of the employment contract at the initiative of the employer, without grounds as established by the labour legislation of Georgia. And the employer is obliged to refund half of the subsidy of remuneration if labour relations with the employee are terminated within six to nine months following the conclusion of the employment contract at the initiative



of the employer, without grounds established by the labour legislation of Georgia.

7. The contents of the contract on the issuance of a subsidy of remuneration and procedures for its payment shall be determined by the legislation of Georgia, including ordinances of the Government of Georgia.

Article 16 – Internship

1. An internship is where an employer offers a job seeker a prospective job for the purpose of the development of practical skills, the improvement of knowledge and skills, and for the possible further employment of the job seeker.

2. The duration of an internship shall be no longer than six months.

3. During an internship, an internship contract shall be concluded between an intern, the Agency and an employer.

4. An employer is obliged to supervise an intern.

5. An intern is obliged to keep a document certifying the completion of internship, that determines his/her duties and contains his/her assessment by an employer. Such assessment shall be made in accordance with the assessment criteria agreed with the Agency, and it shall concern the fulfilment of the assigned duties by the intern.

Article 17 – Labour migration

1. The Agency shall ensure the fulfilment of obligations specified in the document, concluded with relevant partner countries for the purpose of temporary legal employment of job seekers abroad.

2. The Agency shall register in the relevant information database and provide consultation to a person intending to be legally employed abroad. During the consultation, the potential labour migrant shall be given the following information:

a) general information on the benefits of circular labour migration and the risks of illegal migration;

b) information on temporary legal employment opportunities available abroad;

c) general information on rules relating to temporary legal employment opportunities which are applicable in a relevant foreign country;

d) information on state, international, and non-governmental organisations, which ensure the protection of the rights of labour migrants in the recipient country.

3. The Agency shall employ a job seeker abroad temporarily in accordance with the terms and conditions determined by the legislation of Georgia, the statute of the Agency, and the agreement concluded with the relevant partner country (namely, a bilateral contract, or a memorandum).

4. The rights of a citizen of Georgia who is legally employed abroad on a temporary basis shall be protected by the relevant public agencies and consular representations of Georgia, which are determined by the legislation applicable in the host country.

Chapter IV Measures to Facilitate Employment

Article 18 – Measures to facilitate employment

1. Measures to facilitate employment shall serve to employ a job seeker taking into account his/her experience, level of education, professional profile, skills, needs and expectations, as well as to motivate and support a job seeker in finding a job.



2. Measures to facilitate employment shall include the registration of a person as a job seeker, his/her provision with information, profiling, assessment of employment opportunities, consultation, the making of an individual career development plan, the offer of a short-term vocational education course and other education courses, and such measures which serve to enhance a job seeker's opportunity for employment and self-employment. Measures to facilitate employment shall also include the study of labour market needs and the provision of assistance to an employer in finding an appropriate workforce.

Article 19 – Registering a person as a job seeker

1. An unemployed person or an employed person seeking another appropriate job may be registered as a job seeker.
2. A person shall be registered as a job seeker electronically in the unified database of the labour market management information system.
3. A person may not be registered as a job seeker, if:
 - a) he/she is 16 years old and is enrolled in a general education institution at the time of registration;
 - b) he/she has attained the pension age as provided for by the legislation of Georgia;
 - c) he/she is in compulsory military service or military reserve service;
 - d) 18 months have not elapsed since his/her de-registration on the grounds provided for by Article 20(a-d) of this Law;
 - e) he/she is not a citizen of Georgia.

Article 20 – Deregistration of a job seeker

The Agency shall make a decision on the deregistration of a job seeker, if a job seeker:

- a) did not appear before the Agency three times, without a reasonable excuse, at the time set for the visit;
- b) refused to comply with an individual career development plan;
- c) refused an offered job twice without reasonable grounds, or where an employment contract concluded with an employer, who had been contacted with the assistance of the Agency, was terminated twice due to the job-seeker's fault;
- d) requested deregistration himself/herself;
- e) died;
- f) systematically and seriously violated the duties determined by Article 38 of this Law;
- g) is employed, and he/she no longer wants to find another job.

Article 21 – Processing data on a job seeker

1. The data on a job seeker provided for by this Law are stored in the labour market management information system in order to facilitate his/her employment.
2. During registration as a job seeker, he/she shall provide consent in the manner prescribed by the legislation of Georgia with regard to the processing of his/her personal data for the purposes of this Law.
3. The Agency is obliged to submit to the Ministry of Economy and Sustainable Development of Georgia the information (statistical data) in advance, which it holds on the labour market, and the results of measures taken for the facilitation of



employment, in a preliminarily agreed content and format.

4. The registry of data maintained by the Agency shall include:

- a) personal data provided for by a job seeker's identification document, the date of his/her registration and the period of employment;
- b) information on measures to facilitate employment that have been taken to employ a job seeker;
- c) information on an employer and a vacancy offered by an employer for a job seeker, as well as information on the occupation, and the qualifications and skills required for the vacancy;
- d) information on the nature of job seekers on the labour market;
- e) information on a job seeker's short-term vocational education course;
- f) other information required in order to achieve the goals of this Law.

5. The Ministry of Economy and Sustainable Development of Georgia shall process the information provided by the Agency on the labour market and the results of measures to facilitate employment, submit it to the Government of Georgia in the framework of the annual labour market report, and ensure the publicity of such information.

6. The Agency shall ensure the compliance of the processing of job seekers' personal data with the legislation of Georgia regulating the protection of personal data.

Article 22 – Providing information

1. Providing information to a job seeker is a measure that entails giving a job seeker information on measures to facilitate employment.

2. A job seeker shall be provided with information on the opportunities for finding jobs and undertaking short-term vocational education course, on the availability of financial aid to obtain education, and to start independent activities (a business), as well as on the employment opportunities abroad within the framework of the relevant state programme.

3. A job seeker shall be provided with information after registration, within a reasonable time period.

4. A job seeker may be informed both verbally and in writing, by providing printed information material personally, by telephone or e-mail, or by making a reference to a website.

5. The Agency shall provide information to both job seekers and employers.

Article 23 – Profiling

1. A job seeker's profiling is a measure that entails searching for information on the job seeker that is required for the identification of his/her professional abilities and the determination of his/her employment prospects.

2. During profiling, a job seeker shall be enabled to identify the measures necessary to find an appropriate job.

3. Based on the profiling results, an individual career development plan shall be prepared for a job seeker.

4. During profiling, it is necessary to assess at least the following basic information/data concerning a job seeker:

- a) personal data: name, surname, personal number, birth data, residential address, and contact information;
- b) education details: obtained qualifications, degrees, specialisations;



- c) information on training courses undertaken, including short-term vocational education course, additional qualifications, and additional skills;
- d) details of work experience, including duration and occupational fields;
- e) information on interludes between work;
- f) information on one or several preferred jobs, including work specialisations, schedules, workplaces, and remuneration;
- g) information on job seeking experience;
- h) information on his/her status as a refugee, or as a member of a family registered in the unified database of socially vulnerable families;
- i) information on self-employment opportunities/experience;
- j) information on special needs.

5. Instructions for performing profiling shall be prepared and approved by the Agency.

Article 24 – Assessing employment opportunities

1. When assessing the employment opportunities of a job seeker, the possibility of employing the job seeker shall be assessed on the basis of coefficients assigned to his/her professional and individual criteria developed by the Agency.

2. The major criteria required for the assessment of the employment opportunities of a job seeker shall include:

- a) age;
- b) gender;
- c) marital status;
- d) foreign language proficiency;
- e) computer literacy;
- f) working skills;
- g) length of unemployment;
- h) area and level of education;
- i) occupation;
- j) work experience;
- k) other skills.

3. Other skills provided for by paragraph 2(k) of this article shall be determined by the Agency in close cooperation with the Ministry of Education, Science, Culture and Sports of Georgia based on the information identified as a result of research carried out by the Ministry of Economy and Sustainable Development of Georgia for the purpose of identifying the skills required by business enterprises. The criteria selected by the Agency and the coefficients assigned thereto shall enable the assessment of a job seeker for the purpose of his/her integration in the labour market.

4. A job seeker shall be notified of the results of the assessment of his/her employment opportunities during the consultation.



Article 25 – Individual career development plan

1. The goal of an individual career development plan is to plan measures, effectively and realistically, in order to assist a job seeker to become more active in the labour market, and to raise his/her qualifications, search for a job, and be employed.
2. The qualifications obtained by a job seeker in the field of higher or vocational education shall be considered as an initial stage of an individual career development plan.
3. The time for each stage of an individual career development plan is determined in such manner as to allow a job seeker to be fully aware of the measures to be taken for the purpose of employment, and of the terms of their fulfilment.
4. On reviewing an individual career development plan, a job seeker shall receive information on all the resources and preconditions which are necessary for the completion of the relevant stage of the plan.
5. An individual career development plan shall contain at least the following information:
 - a) a job seeker's personal data specified during his/her registration;
 - b) a description of the professional and working skills of a job seeker, information on other skills facilitating his/her employment, and circumstances impeding his/her employment;
 - c) an overview of the areas of employment offered to a job seeker, a description of relevant occupations, and information on his/her preferred working conditions;
 - d) a means of communication necessary for a job seeker to contact the Agency;
 - e) the name, surname and position of the career planning specialist.
6. An individual career development plan shall include at least one of the following measures:
 - a) contacting an employer;
 - b) employment by subsidising remuneration;
 - c) a short-term vocational education course;
 - d) an internship;
 - e) services for employment abroad;
 - f) supporting the start of independent activities (a business) and the availability of relevant funds.
7. A representative of the Agency shall interview a job seeker in order to draft and agree an individual career development plan.
8. After a person is registered as a job seeker, the Agency shall, within a reasonably short time period, draft an individual career development plan with the participation of the job seeker.
9. A job seeker shall approve the individual career development plan. If new, objective circumstances emerge, changes may be made to the plan. Any changes shall be approved by the job seeker.

Article 26 – Providing consultation

1. Providing consultation to a job seeker shall ensure the identification of his/her capabilities, competences and interests, and shall facilitate his/her informed decision-making process concerning the selection of a short-term vocational education course and occupation for the purpose of employment. Providing consultation shall mean providing a job seeker with advice on employment, its accessibility, the choice of an occupation and career development.
2. Providing consultation to an employer shall be oriented towards providing the employer with information on a job seeker who



meets the relevant vacancy requirements; it shall also assist an employer in the process of selecting a job seeker.

Article 27 – Undertaking a short-term vocational education course by a job seeker

1. If a job seeker needs to undertake a short-term vocational education course to facilitate employment opportunities, the Agency shall provide him/her with the relevant information and take appropriate measures to allow the job seeker to have access to the course.
2. The field of a short-term vocational education course shall be determined in accordance with the interests and opportunities of a job seeker, as well as employment opportunities in the relevant field.
3. The forms of the short-term vocational education course and the expenses to be paid by the Agency therefor shall be determined by an ordinance of the Government of Georgia.

Article 28 – Providing consultation concerning the start of independent activities for the purpose of self-employment and entrepreneurship, and the access to relevant financing

1. For the purpose of providing consultation concerning issues relating to starting independent activities and accessibility to relevant financing, a job seeker shall, upon his/her request, be provided with legal, marketing and financial services, as well as consultation services relating to effective management methods and techniques, and other consultation services.
2. The services specified by paragraph 1 of this article may be provided by the Agency or a professional organisation, as well as a legal entity specialising in the relevant field, or other legal entity, on the basis of a contract.
3. The rules and procedures for the rendering of services provided for by paragraph 1 of this article shall be determined by an ordinance of the Government of Georgia.

Article 29 – Labour market needs survey

1. In order to plan and implement an active labour market policy, a labour market needs survey shall be carried out periodically, at least once in two years.
2. As a result of the labour market needs survey, professional groups which are in demand in the labour market shall be identified; the skills required by an employer and that a job seeker needs to possess, in order to have high chances of employment on the labour market, shall also be studied.
3. The participation of an employer in a labour market needs survey as referred to in paragraph 1 of this article shall be mandatory.
4. The instrument of the survey specified by paragraph 1 of this article shall be determined by the Ministry of Economy and Sustainable Development of Georgia in agreement with stakeholders, based on the goals and objectives of the survey.

In addition, the Ministry of Economy and Sustainable Development of Georgia shall, in a manner prescribed by the legislation of Georgia, select a potential person to carry out the said survey.

5. The Ministry of Economy and Sustainable Development of Georgia shall, with the participation of the Agency, analyse the results of labour market needs survey and ensure that the results of the survey are made public and available for stakeholders.

The results of labour market needs survey shall be taken into account when planning and implementing an active labour market policy.

Article 30 – Supporting an employer



1. During the provision of consultation to an employer, the employer shall be informed about a job seeker who complies with the requirements of the relevant vacancy.
2. The Agency shall assist an employer in the registration of the requested vacancy.
3. The Agency shall also provide consultation to an employer in the process of selecting a job seeker.
4. The Agency shall provide an employer with information on the results of a labour market needs survey.
5. The Agency shall comply with the principle of equality of employers.
6. The Agency shall provide all employers with access to public services relating to the facilitation of employment.

Article 31 – Facilitating the employment of a working-age unemployed person

1. The Agency shall facilitate the raising of motivation of a working-age unemployed person and enhance his/her attempts to be employed and/or participate in a short-term vocational education course.
2. To achieve the goals determined by paragraph 1 of this article, the measures to be taken by the Agency may be in the form of both an individual consultation and a large-scale awareness raising campaign.

Article 32 – Other measures

The Agency shall have the right to take other measures that are not directly provided for by this Law, but serve to facilitate the employment of a job seeker and the achievement of the goals of this Law.

Chapter V Preferential Rights of Vulnerable Groups and Commitments of the State

Article 33 – A job seeker receiving social assistance

1. A working-age member of a family who intends to be registered or has already been registered in the unified database of socially vulnerable families, and who is not employed and is a beneficiary of social assistance, is obliged to register as a job seeker with the Agency in accordance with the conditions prescribed by the Government of Georgia.
2. The Agency shall assist in enhancing the motivation to be employed for persons referred to in paragraph 1 of this article.

Article 34 – Persons with disabilities

1. Persons with disabilities shall enjoy preferential rights in the labour market.
2. In order to provide the services determined by this Law, the Agency shall register persons with disabilities who have applied to the Agency, and shall collect the data necessary for their employment. The data includes the relevant identification details of persons with disabilities, information on their labour restrictions and abilities (taking into consideration their health status), and documents based on which they are considered as persons with disabilities.
3. Persons with disabilities shall enjoy rights to professional rehabilitation. The Agency shall ensure the exercise of such rights. The professional rehabilitation of a person shall include the drafting of an individual career development plan and the taking of other measures prescribed by this Law, the selection of a job or other profitable activities, and the offering of a short-term vocational education course for the purpose of changing or maintaining a job position.



4. A short-term vocational education course for persons with disabilities shall be a targeted measure, which serves to train a person with disabilities for an appropriate job and for the person to acquire knowledge and skills, including the skills necessary to perform a selected job.

Article 35 – Protected workplace

1. A protected workplace shall be created by an employer in agreement with the Agency in order to provide an adapted work environment for a person with disabilities/special educational needs.
2. The Agency shall be authorised to subsidise an employer for creating and adapting a working environment, provided that such working environment shall function for at least three years.
3. A protected workplace may also be a special vacancy that shall be occupied only by a person with disabilities/special educational needs. Subsidising an employer for a protected workplace shall be agreed in advance and in writing, between an employer and the Agency.
4. The types of protected workplace, their creation and the terms of their adaptation in a working environment, the amount of subsidy for an employer for providing accessibility to a protected workplace, and the partial payment and the co-payment of the subsidy, shall be determined by the Ministry.

Article 36 – Providing consultation to persons with disabilities/special needs for the purpose of employment

The Agency shall provide consultation to persons with disabilities/special needs for the purpose of employment through a supporting employment consultant who has special knowledge and skills and has been appropriately trained.

Chapter VI Rights and Duties of Subjects Participating in the Taking of Measures to Facilitate Employment

Article 37 – Rights of a job seeker

1. A job seeker may:
 - a) actively participate in the taking of offered measures;
 - b) receive information on vacancies and qualification requirements or other related requirements;
 - c) receive advice on career planning;
 - d) request his/her participation in drafting an individual career development plan or in making changes to the above plan based on individual and substantiated interests;
 - e) receive the services offered by the Agency free of charge.
2. A job seeker may request to apply the principles of this law in relation to him/her.

Article 38 – Duties of a job seeker

A job seeker is obliged to:

- a) participate in drafting an individual career development plan together with an employment consultant, and perform the duties determined by the plan;



- b) participate in the taking of relevant measures and other activities offered by the Agency within the time frames prescribed by the Agency;
- c) notify the Agency of a change in his/her status within three days of such change;
- d) appear at the Agency within a reasonable period following the receipt of a request to do so;
- e) not refuse to accept an appropriate job offered, or to participate in a short-term vocational education course, or to actively participate in the taking of all appropriate measures in accordance with this Law and his/her individual career development plan;
- f) present himself/herself before an employer for an interview.

Article 39 – Rights of an employer

An employer shall have the right to:

- a) take part in the selection of candidates participating in a competition announced for a vacant job position;
- b) select a job seeker in accordance with the presented qualification requirements;
- c) participate in state employment support programmes and take appropriate measures in accordance with this Law and other legislative and subordinate acts of Georgia;
- d) receive public services relating to the facilitation of employment free of charge;
- e) enjoy other rights granted to him/her by this Law and other legislative and subordinate acts of Georgia;
- f) receive the services determined by this Law from the Agency free of charge.

Article 40 – Duties of an employer

1. After giving consent to cooperate with the Agency, an employer is obliged to:
 - a) be registered on the electronic platform of the Agency in the manner prescribed by the Agency;
 - b) provide equal opportunities to candidates participating in a competition for a vacant position;
 - c) at the request of the Agency, send notification of a competition for the selection of candidates for a vacant position;
 - d) register a vacancy in the Agency in the prescribed manner.
2. An employer is obliged to participate in a labour market needs survey.
3. The obligation to take actions as established by the principles of this Law and by a written agreement between the Agency and an employer shall apply to the employer.

Chapter VII Implementation, Analysis and Planning of an Active Labour

Market Policy

Article 41 – Active labour market policy



1. The State shall pursue an active labour market policy.
2. To pursue an active labour market policy, the Government of Georgia shall establish an inter-agency coordination mechanism.
3. The inter-agency coordination mechanism shall ensure the analysis of the active labour market policy, the exchange of information between the agencies, and planning.

Article 42 – Target groups and special measures of an active labour market policy

1. The target groups of the active labour market policy shall include:
 - a) the unemployed;
 - b) employed persons facing the risk of losing jobs or being dismissed from jobs;
 - c) working-age beneficiaries who receive the living allowance.
2. The special measures of the active labour market policy include:
 - a) the subsidising of jobs;
 - b) providing persons with disabilities with a working environment that is adapted to a protected workplace;
 - c) engaging a person in professional training and retraining programmes.

Article 43 – Analysis of an active labour market policy

1. The Government of Georgia shall ensure the conduct of the analysis of the active labour market policy based on the information provided by agencies.
2. When analysing the active labour market policy, special attention shall be paid to the structural development of the economy of Georgia, the suitability of the number of work places, and the quality of higher education and vocational education with the requirements of the economy, the number of new and abolished jobs, the reasons for the abolition of jobs, and other important circumstances having an impact on job positions.

Article 44 – Planning of the active labour market policy

1. When planning the active labour market policy, the Government of Georgia shall ensure the achievement of a balance between the demand for jobs and the number of jobs available in the fields of higher and vocational education.
2. In the case provided for by paragraph 1 of this article, during the planning of the active labour market policy, both the short-term and long-term prospects of the country shall be taken into account.
3. The analysis of the active labour market policy as determined by Article 43 of this Law shall be the basis for planning the active labour market policy.

Article 45 – Report on the planning and implementation of the employment policy

Once a year, but not later than 1 April, the Government of Georgia shall present to the Parliament of Georgia a report on the planning and implementation of the employment policy (comprising a report of the previous year and a plan of the next year).



Chapter VIII Employment Facilitation System

Article 46 – Employment facilitation system

1. Employment shall be facilitated by the State in the territory of Georgia, as well as by the private sector, in the prescribed manner.
2. At the central level, employment shall be facilitated by the State with the support of municipalities.
3. In the case provided for by Article 56 of this Law, employment shall be facilitated by the private sector.

Article 47 – Powers of the Parliament of Georgia and parliamentary control

1. The state policy on facilitating employment shall be determined by the Parliament of Georgia.
2. Parliamentary control over the facilitation of employment shall be exercised by the Parliament of Georgia.

Article 48 – Powers of the Government of Georgia

The Government of Georgia shall be entitled to:

- a) prepare draft legislative acts regulating the facilitation of employment;
- b) prepare draft subordinate normative acts regulating the facilitation of employment;
- c) conclude relevant agreements with the competent agencies and organisations of foreign countries with respect to labour migration.

Article 49 – Inter-agency coordination mechanism

1. For the effective implementation of the state employment facilitation policy and the achievement of the goals of this Law, an inter-agency coordination mechanism shall be established consisting of representatives from the Ministry of Occupied Territories, Labour, Health and Social Affairs of Georgia, the Ministry of Education, Science, Culture and Sport of Georgia, the Ministry of Environment Protection and Agriculture of Georgia, the Ministry of Economy and Sustainable Development of Georgia, the Ministry of Regional Development and Infrastructure of Georgia, and the legal entity under public law called the National Statistics Office of Georgia, and three representatives of the Trilateral Social Partnership Commission, from which one of the members is the chairperson of the Commission, one of the members is a representative of the trades union, and one of the members is a representative of an employers' association.
2. Once a year, within the framework of the inter-agency coordination mechanism, in order to develop an evidence-based policy and process development forecasts, all data on supply and demand in the labour market shall be collected and exchanged.
3. The inter-agency coordination mechanism shall be overseen by the Government of Georgia.

Article 50 – Powers of the Ministry of Education, Science, Culture and Sport of Georgia

1. The Ministry of Education, Science, Culture and Sport of Georgia shall promote occupational consultancy and career planning at all levels of education.



2. The Ministry of Education, Science, Culture and Sport of Georgia shall, by establishing a relevant and efficient mechanism at the level of general education, ensure the development of skills for the selection of an occupation and the proper planning of a career, and shall offer schoolchildren both occupational consultancy and career planning services.

Article 51 – Powers of the Ministry

The powers of the Ministry in the area of employment facilitation shall be:

- a) the monitoring of current events and trends in the labour market;
- b) the development of strategies, forecasts and state programmes to ensure the employment of a job seeker and the undertaking of a short-term vocational education course;
- c) the development and approval of normative instruments for promoting equal opportunities in the labour market, and to ensure that a job seeker undertake a short-term vocational education course for the purpose of employment;
- d) the monitoring of the implementation of the state employment support policy, as well as the implementation of sectoral strategies and the plans and programmes of the Agency;
- e) the promotion of the implementation of state employment support programmes, the drafting of agreements in the area of employment, and the implementation of projects for international cooperation, by facilitating the implementation of the active labour market policy;
- f) the development of annual indicators for the implementation of the activities of the Agency, and the establishment of the level of their application for the annual monitoring and evaluation of the activities and relevant programmes of the Agency.

Article 52 – Powers of the Ministry of Environment Protection and Agriculture of Georgia

1. The Ministry of Environment Protection and Agriculture of Georgia shall provide consultation services to job seekers intending to be employed in the field of agriculture, and shall support the development and organisation of relevant short-term vocational education courses.
2. The Ministry of Environment Protection and Agriculture of Georgia shall, in coordination with the Agency, facilitate for job seekers the availability of financing of households existing in rural areas, as well as agricultural cooperatives and small and medium-sized enterprises.

Article 53 – Powers of the Ministry of Economy and Sustainable Development of Georgia

1. The Ministry of Economy and Sustainable Development of Georgia shall, in the framework of the research and analysis of demand in the labour market, examine occupational groups according to the international standard employment classifier, and shall draft relevant recommendations for stakeholders. The exact scope of topics of the above research shall be determined by the significant involvement of stakeholders, as required.
2. The Ministry of Economy and Sustainable Development of Georgia shall, within its authority, cooperate with public agencies to search for and exchange information on the labour market and to manage and develop the operation of the information system of the labour market.
3. The Ministry of Economy and Sustainable Development of Georgia shall, in the case of attracting such investment resources to Georgia as envisage the employment of persons, contact the entity offering the resources to the Agency, for the purpose of their employment and/or for the training or retraining of job seekers for the purpose of their employment.

Article 54 – The Agency



1. The Agency is a legal entity under public law subject to the state control which is accountable to the Ministry. The statute of the Agency shall be approved by the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.
2. The head of the Agency shall be appointed to and may be dismissed from position by the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.
3. The goal of the Agency is to facilitate the professional development and employment of a person.
4. The basic functions of the Agency shall be to:
 - a) provide services in the field of the active labour market policy;
 - b) implement state programmes to facilitate employment;
 - c) carry out facilitation activities in the labour market;
 - d) provide information and consultancy services and offer short-term vocational education course to job seekers, as well as partial or full funding therefor;
 - e) support a person newly in employment, at the request of an employer; comply with the principle of equality between an employee and an employer; provide access for an employer to public services for the purpose of employment facilitation;
 - f) carry out research activities relating to the current and future trends of supply and demand in the labour market, and its facilitation and analysis;
 - g) prepare draft normative acts which regulate matters relating to the facilitation of employment and/or participate in their preparation within the power granted by the Ministry;
 - h) create, process, analyse and develop databases in the framework of the programmes/projects of the Agency;
 - i) determine the criteria for the competencies of employees of the Agency;
 - j) develop the opportunity, in the area of labour migration, for the temporary legal employment of a citizen of Georgia abroad. For this purpose, the Agency shall exercise its powers based on Article 6(2)(a) of the Law of Georgia on Labour Migration;
 - k) manage and constantly update the electronic job selection system.
5. The Agency shall operate at the central level. It shall also have regional representations.

Article 55 – Powers of municipalities

1. Municipality bodies shall, within the scope of powers granted by the Organic Law of Georgia the Local Self-Government Code, assist the regional representation of the Agency in exercising its powers.
2. In the area of the facilitation of employment, a municipality shall be authorised to take measures for the promotion of employment in order to facilitate/support the operations of the Agency, taking into account Article 16(4) of the Organic Law of Georgia the Local Self-Government Code.

Article 56 – Transfer to a legal entity of certain functions (jobs, services) within the framework of activities related to employment facilitation

1. In order to efficiently achieve the goals of this Law, the State may, based on a contract, transfer certain functions (jobs, services) and activities related to employment facilitation to a non-profit (non-commercial) legal entity and/or other relevant legal entity.



2. Procedures for the transfer and provision of services under paragraph 1 of this Law shall be determined on the basis of the following criteria:

- a) the service provider delivers services more efficiently and quickly than the State;
- b) the service provider is able to take relevant measures more effectively than the State;
- c) the service provider takes the relevant measures for a low cost, taking into consideration sub-paragraphs 'a' and 'b' of this article.

Chapter IX Transitional and Final Provisions

Article 57 – Legal succession of the Agency

The Agency provided for by this Law shall be designated as the legal successor of the Agency with the same name provided for by Order No 01-110/5 of 31 October 2019 of the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia on the Approval of the Statute of the Legal Entity under Public Law called the State Employment Support Agency.

Article 58 – Measures to be taken before the entry of this Law into force

Before 1 September 2021, the public agencies referred to in Articles 48-53 of this Law shall ensure the compliance of the relevant normative acts with this Law.

Article 59 – Entry into force of the Law

1. This Law, except for Articles 1-57, shall enter into force upon promulgation.
2. Articles 1-32 and 34-57 of this Law shall enter into force from 1 September 2021.
3. Article 33 of this Law shall enter into force from 1 September 2023.

President of Georgia

Salome Zurabishvili

Tbilisi

14 July 2020

No 6819-სს

