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Evangelischer
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Private sector employees' rights Condition research in Kutaisi

2016 year

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The right to work and the right to the proper labor conditions are a fundamental human rights and are protected by a number of international documents. In the second half of 2016, FWE has been conducted a survey of women's rights in private sector - analysis, identification of challenges facing them and developing recommendations for further advocacy which will be forwarded to relevant structures for react and for further advocacy and lobbying.

The research was prepared by the FWE, within the framework of the project: "Sustainable development of women from Western Georgia, through increasing their professional levels and development of personal skills".

Through the questionnaire for November 2016, there were interviewed 116 women and men employed in private sector. 45 have refused to participate in the study;

The survey card consists of 14 questions. From the completed questionnaire we find the employee's age, sex, position in the workplace, duration of work and the condition of the employee according to the work place, to assess the employee's assessment of his working conditions and remuneration.

Question 1. Your age

Interviewed

From 20 to 30 years old - 44 Female,

From 30 to 50 - 45 Female, 16 male

In the age of 50 – 11 Female

Gender: interviewed 100 Female - 16, male

Question 2. Your position according to the place of employment:

Consultant in the shop - 30, tailor -27, Pharmacist- 28, employed in various sectors - 31;

Question 3. The basis for your employment: Contract Agreement / Oral agreement

The survey showed that the contract agreement has 46.6% out of 116 employees, while the oral agreement has 53.4%.

Question 4. How long have you been working on your position?

One year - 16.3%

Less than one year - 21.5% employed

More than one year - 62.2% employed.

According to the questionnaire, communication with 53.4% of employees is regulated by the oral agreement. If we look at Article 6 of the Labor Code of Georgia, it is underlined that the oral agreement can only be regulated by employer and employee during labor relations for up to three months. Thus the problem is that the job seeker is willing to agree with the oral agreement for more than three months of labor relations with which the provisions of Article 6 of the Labor Code of Georgia conform to the written form of the contract is violated and the employee remains in the case of the violation of the conditions of the vulnerable employer.

Question 5. Have you received additional benefits / compensation in the workplace?

From the interviewed 116 employee, it was found that the additional benefit was taken by 22.5% of the employees. We received the negative answer from 77.5% of employees;

Question 6. Do you consider that your salary is relevant to the workload?

6.8% of respondents think that his compensation is relevant to the workload, and 84.4% has answered that his compensation is not relevant to the workload.

Question 7. Do you have to work overtime?

We received a positive response from 72.5% of respondents, and 27.5% answered that they do not have to work overtime.

Question 8. Did the remuneration be fulfilled during the overtime work?

We received a positive response from 27.5% of the employee, and 72.5% answered us that they did not receive compensation for overtime work;

Question 9. Do you believe in working conditions where you work safe and healthy?

50% of respondents believe that workplace is safe and healthy. 50% believe that their work environment is not safe and healthy;

- ✓ When analyzing one of the enterprises, almost all of them notes that their working environment is safe and healthy, but some employees believe that its activity is life-threatening, and its work is not protected by sanitary-hygienic conditions. It is clear that the employer does not have employees in equal terms. Employees need different approaches to feel safe because of work specific

Question. 10. Are sanitation-hygienic conditions in your workplace protected?

56.8% thinks that their sanitary-hygienic conditions are protected at work place, 43.2% thinks that their sanitary-hygienic conditions are not protected at the workplace;

Question 11. Do you have a hygiene room for women at work?

29.3% of respondents indicate that in their jobs are provided by women's hygienic rooms. 70.7% of respondents declare that in their workplace are not provided women's hygienic rooms.

Study has shown that women's hygienic rooms are equipped those places, where women work 24 hours a day (some pharmacy and shop). Women's hygienic rooms are not provided in those institutions where 90% of workers are women and employees have to work 8-9 hours a day.

The questionnaire showed that most women find the women's hygienic room at the toilet. And when we explained to them what the question was meant to say that they do not have that kind of rooms in their workplace.

Question 12. Do you use the one-hour break provided by the Labor Code?

Only 35.4% of respondents said they had a one-hour break, 64.6% said they do not enjoy a one-hour break. In this respect the personnel working in pharmacies are particularly noteworthy.

Question 13. Did you use a paid vacation?

28.4 % of respondents had hadpaid vacation? leave and 71.6% had hadn't

Question 14. If you have not been paid with a paid leave, please explain why?

It is noteworthy that employees in the private sector can not afford the vacation. One of the surveyed observers notes that when he asked for paid leave, he only got 5 days. The other condition was not hired by the employee, as there was the risk of losing the job.

Problems which have been identified during research:

- ✓ Employees mainly consider that if they ask for vacation they will lose their jobs. One of the reasons that the employees do not ask for employers to fulfill their requirements under the Labor Code is that they do not have information about their rights. Asked whether they have women hygienic rooms at their place of work, it was meant to have toilets here.
- ✓ Employers do not obey the Labor Code of Georgia and in most cases violate the rights of employees with their own regulations.
- ✓ Especially young people employed in stores do not know about their labor rights;

- ✓ Employees (due to fear of losing their jobs, do not have the knowledge of their rights) do not express their violation of their rights;

Recommendations:

1. In order to protect human rights in the private sector, it is necessary to define the state's minimum wage;
2. For employees (especially where most of the employees are women) employers are obliged to provide women with hygienic rooms;
3. Effective labor checks have been made, mechanisms with adequate potential for examination of working conditions have been created; (Eg. establishing an effective labor inspection system);
4. The State may, in the long run, fulfill its obligations under the Association Agreement in particular to the obligation to inform employers about employee relationships related to the terms and conditions of employment agreement, to facilitate workers' safety and health care improvement measures to be taken.
5. Increase in the involvement of employed people on labor rights by involving NGOs.