

ASSESSMENT OF THE TRANSPARENCY OF THE LABOR INSPECTION SERVICE

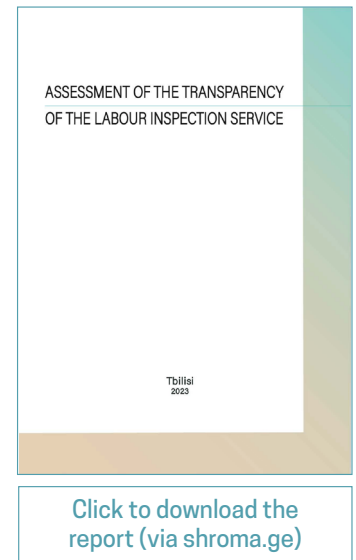
Report Summary (published Dec. 2023)

[This report](#), published on 20 Dec 2023, assesses the transparency and accountability of Georgia's Labor Inspection Service ("the Inspectorate"). It looks at the Inspectorate's practices of providing public information (both proactively and in response to public requests) and the completeness of publicly available information. The report's authors identify a number of gaps and challenges and offer recommendations to improve transparency.

Methodology and limitations



The report uses recent examples to examine whether the Inspectorate complies with national and international law in how it provides public information. Data on the Inspectorate's recent practices was obtained through interviews, public information requests, public information on the Inspectorate's website and other secondary sources (such as reports and statements from various parties).



Why is transparency important?



The Labor Inspection Service plays a crucial role in implementing national labor policy and protecting workers' rights. Access to information about its work is necessary for proper public oversight – namely to assess the body's effectiveness, to independently monitor workplace conditions, and to identify existing tendencies and shortcomings.

Transparency and openness are also important because they significantly impact public trust in public institutions and create an added incentive for employers to ensure they comply with labor laws.

Summary of key findings

Proactive publication of information: The Labor Inspection Service does not fully comply with Decree N219 of the Government of Georgia of August 26, 2013, on "Requesting Electronically and Proactive Publication of Public Information." The obligation to proactively publish public information is breached both in terms of content and timeliness, which presents a significant challenge to transparency.

Incomplete responses to requests: In response to public requests for information, the Inspectorate sometimes fails to provide comprehensive information and/or does not fully respond to the requests. For example, the Service did not provide the list of sites inspected in January-July 2023 and the respective protocols of administrative offenses, stating that the results of inspections conducted during the said period and the related materials were still undergoing processing.

Accident details: Interviews revealed that the Inspectorate does not timely provide materials concerning industrial accidents – information which is of great importance to victims and/or their family members.



Summary of key findings (continued)

Organizational information: In response to a public information request, the Inspectorate failed to provide basic organizational information that is legally required to be public. Missing information included data on salaries and bonuses paid; information about business trip expenses; a list of vehicles owned by the Inspectorate, and an accounting of fuel usage. This information is also not on the Inspectorate's website, as required by law.

Budget: Information regarding budget, state procurement and expenditures of the Inspectorate is absent from the Inspectorate's website.

Public outreach: The website does not describe in clear and understandable language how and when employees can request an inspection.

Summary of recommendations

In response to public requests for information:



- Respond to public information requests in a timely manner and provide inspection materials to interested parties without any obstacles. In certain cases, due to the nature of the violation, timely release of particular inspection materials is essential

(for example, in case of industrial accidents).

- Develop effective mechanisms for the timely processing of inspection materials to avoid delays in providing public information.

Pro-active measures to provide information:



- Publish all public information envisaged by Decree №219 of August 26, 2013 on "Requesting Electronically and Proactive Publication of Public Information." This information should be updated periodically as determined by the Decree.

- Categorize information into thematic sections on the Inspectorate website, ensuring simplified access and straightforward retrieval of information.
- Publish more detailed information on the grounds, results, and conclusions of inspections on the Service's website.
- The Inspectorate's annual report should separate the number of primary and follow-up inspections as well as the number of inspections of specific industries (under specialized regulations) and general inspections (carried out under the Labor Code).

Public outreach:



- Take relevant measures to strengthen public trust, including by publishing comprehensive guidance on how employees can report violations. This information should clearly state that the identity of employees who report violations remains confidential.
- Implement measures to enhance citizen engagement.

Case study

In 2023, there were significant challenges in relation to the Labor Inspection Service's transparency. One of the most noteworthy instances was their concealment of employers' names in inspection reports provided to the Fair Labor Platform and the Social Justice Center.

The Platform intended to upload the reports to its [Labor Rights Monitor](#), a public database of inspection reports. The lack of employers' names made this impossible.

After informal discussions failed, the Social Justice Center [initiated a lawsuit](#). The Inspectorate then [backtracked](#) and provided the requested information without concealing employer data.

