

# **Internal Regulations of the National Bureau of Enforcement – a Legal Entity of Public Law under the Ministry of Justice of Georgia**

## **Chapter 1. General Provisions**

### **Article 1. Scope of Application**

1. Internal Regulations of the National Bureau of Enforcement- a legal entity under the Ministry of Justice of Georgia (hereinafter - National Bureau of Enforcement) is adopted according the Georgian Law and applies to all employees of the structural units and territorial authorities of the National Bureau of Enforcement, as well as, to all persons involved in the enforcement proceedings of the National Bureau of Enforcement, according to the regulatory acts of their activities (hereinafter – employee).
2. The following Internal Regulations shall apply to the employees of a structural Unit of the National Bureau of Enforcement – Division of the Enforcement Police taking into account the peculiarities according to the “Law of Georgia on Civil Service”.
3. Internal Regulations represents the indivisible part of labor interrelation between the National Bureau of Enforcement and its employees and to fulfill the requirements foreseen by the Internal Regulations is mandatory for all employees.
4. The aim of Internal Regulations is to regulate the labor and its corresponding relations between the National Bureau of Enforcement and its employees.
5. Any kind of discrimination based on race, color, language, ethnic and social belonging, nationality, origin, property and title, place of residence, age, sex, sexual orientation, disabilities, belonging to a religious or any other union, family situation, political and other opinions is prohibited in labor relations between the National Bureau of Enforcement and its employees.
6. Internal Regulations defines the main principles of interdependence among the labor organization, administration and personnel of the National Bureau of Enforcement.

## **Chapter 2. Origin of Labor Relations**

### **Appointment of an Employee, Positional Displacement**

#### **Article 2. Pre-contractual Period and Information Exchange**

1. Prior confirmation of labor relation a candidate is obliged to present to the National Bureau of Enforcement the following:
  - a) Identification card;
  - b) Biometric image one printed and one in digital form;
  - c) Autobiography;
  - d) Document certifying education;
  - e) Personnel registration form of the National Bureau of Enforcement.

2. Besides the documents foreseen by the first paragraph of this article, a candidate is obliged on demand to present (in case of existing such documents):
  - a) A certificate of conviction;
  - b) A drug testing notice;
  - c) A labor book;
  - d) A notice about previous work;
  - e) A notice about the health condition;
  - f) Driver's license;
  - g) A recommendation letter.
3. Besides the documents stipulated by the first and 2<sup>nd</sup> paragraphs, National Bureau of Enforcement is entitled in case of necessity to request other documents to submit from a candidate/employee, verify the accuracy of these documents or to obtain additional information, which is necessary to make decisions regarding labor relations.
4. Until the full representation of documents foreseen by the previous article, the labor relation cannot be executed and a candidate is not allowed to work.

#### Article 3. Appointment of an Employee

1. On the basis of a candidate's personal statement the labor relation with the employee is executed by the corresponding decree issued by the chairman of the National Bureau of Enforcement.
2. The duration of labor relations is established for an indefinite time. In particular cases, the duration of a labor relation may be defined, or for a certain work performance period.
3. After the expiry of a specified term employment contract, in case of an agreement between both parties, an order is issued by the National Bureau of Enforcement on extension of an employment contract (if not otherwise stipulated in the employment contract).
4. After the expiry of a specified term employment contract, if the National Bureau of Enforcement doesn't consider advisable to extend the employment agreement, an order on finishing the labor relation is issued by the National Bureau of Enforcement.
5. At the beginning of labor relations with all newly appointed employees, the condition of a three-month probation period is into force, which shall start from the day when an employee was appointed at work.

#### Article 4. Positional Displacement/Transfer

1. The National Bureau of Enforcement has the right to indicate an employee about a specific circumstance of work performance foreseen in an employment contract, which does not change the conditions of the employment contract terms substantially.
2. Unless otherwise provided in the employment contract, an unessential change of the contract conditions shall be deemed:

- a) A Change of the work performance place for an employee by the National Bureau of Enforcement, if in general from the place of residence to get to the new place of work and go back by the generally available means of transportation takes no more than 3 hours per day, at the same time, does not cause unbalanced costs;
  - b) The change between the commencement and end of work shall be no more than 90 minutes;
  - c) Such a change, which is stipulated by changing the legislation and makes it impossible to fulfill a contract precisely, at the same time, does not change its basic essence.
3. According to the predetermined circumstances of the 2<sup>nd</sup> part of this article two simultaneous changes of the labor contract shall be considered as the change of the labor contract conditions.
4. Changing the labor contract conditions, including the transfer to another position from the occupied one shall be conducted only by the agreement of the parties based on the order of the National Bureau of Enforcement.

### Chapter 3. Conditions of Labor Relations

#### Article 5. Obligations of an Employee

1. An employee is obliged:
  - a) To carry out his/her duties truthfully;
  - b) To fulfill his/her official duties faithfully;
  - c) To perform tasks, instructions and orders of the head, according to the subordination;
  - d) To protect high standards of service and ethics in relation to employees and citizens;
  - e) Strictly protect the conditions stipulated by the legal acts related to his/her work activities;
  - f) To fulfill an order or instruction of the head issued within the scope of the legislation;
  - g) To protect the work discipline, use working time rationally, does not allow such an activity which hampers activities of the National Bureau of Enforcement and besmirches its reputation;
  - h) To take care of the property of the National Bureau of Enforcement, including the existing techniques and equipment in his/her usage, ensure the preservation and protection of the documentation entrusted to him/her;
  - i) To take care of a service certificate, weapon, stamp and use them accordingly. Immediately inform the appropriate division of the Ministry of Internal Affairs and in case of loss of the weapon or stamp and represent a notification together with the explanatory note in the structural unit of the National Bureau of Enforcement – in the Human Resources Management division regarding the loss of the certificate concerning the request to the relevant organ of the Ministry of Internal Affairs with an application;
  - j) The use of another employee's service certificate is prohibited;
  - k) To pass a service certificate to another person is prohibited;
  - l) To have in order a working place, keep the cleanliness of the NBE building and its territory;
  - m) Constantly take care of the maintenance and improvement of qualifications foreseen by the official duties;

- n) Protect the requirements determined by the present Internal Regulations, internal regulatory documents, terms of ethics and etiquette, labor discipline, safety norms.

#### Article 6. Rights of Employees

1. An employee is entitled:
  - a) Request to create the necessary conditions for the work performance;
  - b) Request necessary information from a head or/and other structural unit or territorial organ in order to fulfill his/her duties;
  - c) Present remarks and proposals for the purposes to improve the work quality of the structural unit/territorial organ;
  - d) Participate in the competitions to take the vacant positions, including higher positions;
2. An employee is prohibited the following:
  - a) Participation of an employee and his/her family members in the auction announced by the NBE;
  - b) To take the valuable gift and/or benefit from a citizen or subordinate personnel relating to the performance of official duties;
  - c) To leave the work place without a permission;
  - d) To apply computer games at work and use of internet for unofficial purposes;
  - e) To appear at work under the influence of alcohol, drugs or/and psychotropic drugs, except for medical purposes, or to obtain the mentioned means at work;
  - f) To smoke tobacco in the buildings of NBE, besides the specially allocated places for this purpose.
  - g) To smoke tobacco in the car under the ownership of NBE/service car.

#### Article 7. Obligations of NBE

1. National Bureau of Enforcement is obliged:
  - a) Protect the labor laws and the rules of labor safety;
  - b) Create the stable and effective work conditions for the employees;
  - c) Ensure the protection of work discipline by the employees;
  - d) Equip each work place by the necessary conditions, technique and inventory;
  - e) Ensure the equal accessibility for employees' career development and progress.

#### Article 8. Working Time, Break

1. An employee's working week is defined by 5 calendar days, from Monday to Friday. An employee is given 2 rest-days: Saturday and Sunday, besides the employees' of the Police Division of the National Bureau of Enforcement, where the work shift schedule is established.
2. Working time of the employees is defined from 10:00 till 19:00 o'clock, in the territorial organs of the Public Service Halls from 09:30 till 18:30 o'clock from Monday to Friday;

3. The scope of application of this article is not spread to the 2<sup>nd</sup> paragraph of this article on the employees of the Enforcement Police Division, whose working time is determined by the shift schedule developed at the National Bureau of Enforcement.
4. A break is defined from 13:00 till 14:00 o'clock. In the front-offices, for the purposes of uninterrupted service, the use of break time is conducted by the shifts and is regulated by the direct head.
5. To an employee, who is a lactating woman and breastfeeds a baby up to one year, on the basis of her request the additional break is given of no less than an hour during a day. The break for the purposes to feed the child is considered in the working time and is reimbursed.
6. According the Georgian legislation, considering the work conditions, when it is impossible to maintain the duration of working time, the summed up accounting rule is used and according the interests of the NBE a different duration of working time or a shift work schedule may be established for the separate structural unit/ territorial organ or the distinct category of employees. In this case the length of employees' working time should not exceed more than 41 hours per week.
7. Working on shifts, transferring from one shift to another and the period of break, therefore the nature of work, is defined by the shift schedules created by the direct heads of the structural units, who is directly responsible for the uninterrupted work production.
8. The length of a break between the shifts shall not be less than 12 hours.
9. Employees use the public holidays stipulated by the Georgian legislation.
10. In case of necessity, NBE and its employees are entitled to fulfill work during the break and holidays' time (including the holidays and festive days), as well as to issue a relevant administrative act within the scope of their power.

#### Article 9. The Rule of Notice regarding Absence from Work and Late Appearance at Work

1. All employees of NBE are obliged to appear at work on time and leave the working place according the established schedule.
2. In case of necessity of being absent from work or leaving the working place, being ill or because of family conditions, an employee is obliged a day before, in special circumstances at least an hour before, prior starting work to notify the direct head and the structural unit of the National Bureau of Enforcement – the Human Resources Management Division regarding the absence or the reasons for quitting the job.
3. Without an excusable reason or/and without notifying the structural unit of the NBE – Human Resources Management Division nonappearance at work will be considered inexcusable and the appropriate amount for missed work time will be deducted from an employee's salary.

#### Article 10. Work Remuneration Conditions

1. Salary is paid once a month for the employees working in the system of NBE by means of transferring the sum to the bank accounts no later than 3 working days after the end of the month under review.
2. Calculation of work remuneration for the employees is made according the calculation table of work time, which shape and instruction is confirmed by the appropriate decree of the chairman of the National Bureau of Enforcement.
3. All kinds of remuneration shall be delivered into national currency.

## Chapter 4. Business Trip

### Article 11. The Rule of Administration of a Business Trip

1. Bearing in mind the interests of a work place a business trip is considered travel of an employee on the basis of the NBE decree for the purposes of performing the work assignment outside the permanent working place in other structural-administrative unit/settlements.
2. The length of sending an employee of the National Bureau of Enforcement to a business trip shall not exceed more than 45 calendar days during a year. The prolongation of the above mentioned term is possible only with the consent of an employee.
3. An employee is obliged to present the report about the performed work during the business trip if requested.
4. The position and salary is maintained to an employee during being in the business trip.

### Article 12. Business Trip Documentation

1. The basis for going to a business trip is the written assignment of the chairman of the NBE or an explanatory note written on behalf of the chairman of the NBE (Annex #1), where the names are provided of persons who are going to a business trip, the purpose of the business trip, the place and duration of the business trip, necessary funds for travelling and overnight stay, transportation source necessary for movement. A service card prepared by an employee of NBE regarding the request of a business trip must be confirmed by the direct supervisor of this employee.
2. A business trip certificate is drawn up based on the prepared decree about the business trip (Annex #2), the relevant remarks are made on the business trip certificate, the leave from the working place, arrival at the destination and departure, appearance at work is approved by the signature and stamp of an authorized person;
3. A business trip certificate, except before departure of employees from the territorial bureaus, is granted to a person sent to a business trip in the structural unit of the National Bureau of Enforcement – at the Human Resources Management Division;
4. A business trip certificate for the employees employed at the territorial bureaus is prepared on the place and is granted to a person prior going on a mission;

5. An employee is obliged to present the attested certificate in an original format according to the relevant rule to the structural unit of the National Bureau of Enforcement- Finance and Accounting Office immediately after returning from the mission;
6. Cancellation of a business trip, re-scheduling, extension or in case of any kind of changes, an explanatory note is prepared by the employee of NBE, based on which after the confirmation from the direct supervisor the relevant decree is drawn up regarding the cancellation or adding the appropriate changes in the decree.

#### Article 13. Remuneration for Travelling Expenses

1. Travelling expenses are calculated according the factual days being in the business trip, recreation and holiday, as well as including the departure and arrival days of the mission;
2. The following travelling expenses are included during a business trip: costs for the per diem allowance, journey and housing rent. In case the destination for a mission is situated on a 30 kilometer distance from the work place, a special order is issued about the mission and only the costs for travelling shall be reimbursed;
3. To an employee who is on a service duty all travelling expenses spent during the whole period of being on a mission shall be reimbursed- per diem allowance, costs for the use of public transport (except the Taxi service), price for the flights (only by the economy class) or the expenses for the fuel, hotel;
4. The amount of expenditure for the per diem allowance for an employee sent on a mission on the territory of Georgia is determined as of 15 GEL (fifteen);
5. Travelling expenses for an employee sent on a mission outside of Georgia according the length of the mission and destination is determined by the legislation of Georgia;
6. Employees will be reimbursed the expenses related to the preparation of a business trip outside of Georgia (visa, insurance);
7. Sum for the travel allowance is granted in advance or according the relevant attested travel certificate and after the presentation of the corroborative documents on expenses within the period of 3 calendar days based of the order of the chairman of NBE regarding the employees' business trip.
8. Calculation and delivery of the amount for the required fuel for a business trip is conducted by the relevant structural unit.
9. Within 5 calendar (five) days after the arrival from a business trip, an employee is obliged to present to the structural unit of the National Bureau of Enforcement – Finance and Accounting Office a business trip certificate confirmed at the relevant destination as well as at the work place by the appropriate authorized person, a confirmative ticket about the use of public transport and a check of the cash machine, confirmative document about the hotel service with the approved check from the cash machine either by invoice, together with the payment confirmation check from the cash machine. Spent food expenses during the business trip shall not be reimbursed.

10. The presented documentation by an employee according the requirements of the paragraph 10 of this article is discussed and reimbursed in the structural unit of the National Bureau of Enforcement – by Finance and Accounting Office.
11. In case the amount for the travelling allowance is given in advance, the final payment for a business trip to an employee is conducted after presenting the documentation stipulated by this rule to the Finance and Accounting Office of the National Bureau of Enforcement. According the confirmative documentation on expenses the calculated business trip expenses will be detained from the sum received in advance; Return of unused funds shall be made by the means of transferring the unused funds to the bank account of NBE or it will be detained from the salary of an employee.
12. In case of paying the business trip expenses on their own, the final payment with an employee is carried out by the structural unit of the National Bureau of Enforcement – Finance and Accounting Office in accordance with the rule prescribed by the paragraph 10 of this article on the basis of the presented confirmative documentation about the expenditure.
13. In case of termination of a business trip earlier than the stipulated period the extra sum transferred by the preliminary estimates shall be deducted from the salary of an employee sent on a mission or it shall be transferred to the bank account of the National Bureau of Enforcement by him/her.

## Chapter 5. Suspension of Labor Relations

### Article 14. Paid Vacation

1. An employee of the National Bureau of Enforcement has a right to use the paid vacation – no less than 24 calendar days in a year. By the agreement among the parties it is possible to use the vacation completely or partially.
2. A vacation year coincides with the calendar year.
3. An employee is entitled to request a vacation after the eleven months since starting a job. NBE is entitled to grant vacation to an employee before the mentioned period of time.
4. Unless otherwise agreed between the parties, the pertained amount of the first vacation of an employee is calculated in proportion to the period of labor relation, in private, by means of multiplying two times the number of remaining months, since registering the labor relation until the end of the current calendar year.
5. An employee's vacation request is registered in written, by the direct supervisor's written approval, which he/she represents to the leadership at least 5 calendar days earlier.
6. In case of a paid vacation, calculation and delivery of the vacation compensation is conducted beforehand, within 5 calendar days since issuing the relevant decree about a vacation.
7. If an employee by his own desire will not use the vacation due to him during the current year, the unused vacation days except the cases foreseen by the paragraph 8 of this Article, shall not be transferred to the next calendar year and additional payment for the unused vacation days is not granted.



8. If the National Bureau of Enforcement considers inappropriate to grant a holiday to an employee because of the interests of normal workflow, therefore, according the relevant order of the Chairman of the National Bureau of Enforcement the holiday of the current year may be moved to next year. At the same time, transfer of a paid vacation for two consecutive years in a row is prohibited.
9. In special cases, by the order of the Chairman of the National Bureau of Enforcement, it is possible to terminate/call a paid vacation for an employee (except for a person being on holiday because of pregnancy, childbirth, child care and adoption of a newborn baby) with the right of using the remaining unused days in future. Termination of a paid vacation because of pregnancy, childbirth, child care and adoption of a newborn baby for a person being on holiday may be only conducted with the consent of the employee.
10. In case of termination of a paid vacation if an employee has previously fully received the vacation reimbursement, the proportional reimbursed amount for the terminated vacation days shall be paid back to the respective account of the Bureau or it will be deducted from his/her own salary.
11. An employee shall return to a work place after the holidays. In case, if the employee is not able to return to work on time for the valid reasons, he/she is obliged to inform the direct supervisor about this and the structural unit of the National Bureau of Enforcement- Human Resources Management Office in advance , or no later than one day after the end of holidays.
12. In case of starting a period of temporary disability while being in a paid leave, the remuneration is paid during the whole temporary disability period, because of the temporary disability situation. In this case, the vacation days will be moved aside by the number of days indicated in the hospital sheet.
13. The head of a structural unit or territorial authority of NBE is entitled to establish a paid vacation timetable for the employees.
14. In order to encourage the employees, National Bureau of Enforcement is entitled to increase the duration of a paid leave.

#### **Article 15. Unpaid Leave**

1. For the valid reasons, an employee may be granted a short-term unpaid vacation no less than 15 calendar days in a year on the basis of a personal statement and permission from the direct supervisor.
2. An employee may request an unpaid leave at once or in part.
3. An employee is obliged to write a statement about taking an unpaid leave prior 5 calendar days before the request, except the situation, when it is impossible to protect the term due to family circumstances.
4. In case of starting a period of temporary disability while being on an unpaid leave, granting the compensation, due to the temporary disability, shall begin from the date the employee should have started working.

#### **Article 16. Leave for pregnancy, childbirth and child care**

1. By an employee's own statement and on the basis of the relevant document issued by the medical establishment an employee may be granted a leave because of pregnancy, childbirth and child care - amounting to 477 calendar days.
2. 126 calendar days are reimbursed from a paid leave because of pregnancy, childbirth and child care, but in the case of a complicated childbirth or twins – 140 calendar days.
3. At the discretion of an employee the above mentioned vacation may be divided on the pregnancy and post-childbirth periods.
4. An employee, who has adopted a child under the age of one, is given a leave due to adoption of a newborn child amounting to 365calendar days since the birth of a child. 70 calendar days are reimbursed from this leave.
5. While being on a paid leave because of pregnancy, childbirth and child care, as well as because of the adoption of a newborn child together with the help from the state an employee is granted a compensation due to fill up the full amount of his/her salary during the period of a paid leave.
6. Suspension and resumption of labor relations due to pregnancy and childbirth shall be executed by the order of the Chairman of the National Bureau of Enforcement on the basis of an employee's statement.
7. If an employee due to the honorary reason cannot return to work on time immediately after the completion of the leave, he/she is obliged to inform the direct supervisor regarding this in advance or no later than a day after the completion of the holiday period, otherwise it will be perceived as avoiding work and the employee will be subject to the disciplinary punishment under the Internal Regulations of NBE, including the possibility of termination of the contract.
8. In order to perform tasks of the employee who is on leave because of pregnancy, childbirth and child care, the National Bureau of Enforcement is entitled to hire another person or assign another employee to perform his/her duties during the whole period of a leave.

#### Article.17 Additional Vacation

1. An employee, except for the concrete period of performance stated in the signed labor contract, may be granted an additional paid vacation by the own written request:
  - a) For 5 (five) calendar days in case of marriage or death of a family member.

b) For 5 (five) calendar days in a year, no more than 2 (two) calendar days in a month in case of mild illness;

2. Employees, whose children are going to school for the first time, may be granted the additional paid vacation during the one calendar day on the first day of starting classes at educational institutions.

3. The basis for requesting an additional vacation is an employee's written statement.

4. The additional vacation is not included in an annual paid vacation.

5. In case of an additional leave, the previous calculation and payment of the vacation remuneration transferred to the accounts shall not happen, the days of being on a leave are considered as excusable and the remuneration is granted along with the basic salary of the current reporting period.

#### Article 18. Temporary Disability

1. An employee during the illness period, on the basis of the relevant notification issued by the medical establishment, is granted the help because of temporary disability no more than 30 calendar days in a row and during the 6-month period no more than 50 calendar days.

2. In case of long-term disability (more than 30 calendar days in a row and during 6 months more than 50 calendar days), the National Bureau of Enforcement is entitled to terminate the labor relation with the employee.

3. In case of long-term disability (more than 30 calendar days in a row and during 6 months more than 50 calendar days), if the National Bureau of Enforcement does not consider it advisable to terminate the labor relation with the employee, calculation of remuneration on the period of temporary disability and the payment is conducted according the rule ascertained by the legislation of Georgia.

4. A temporary disability certificate (sick-list) shall be presented by an employee together with the statement about requesting the remuneration during 3 months period since closing the sick-list, otherwise the missed days will not be reimbursed.

5. The National Bureau of Enforcement shall provide an employee with notification regarding the remuneration for the missed days caused by the temporary disability or refusal to remuneration within 10 calendar days since representation of the sick-list by an employee.

6. The calculation base for the amount of compensation payable to an employee for temporary disability is represented by his/her monthly salary.

#### Article 19. Call-up in the Military Service

1. In case of call-up in the military reserve service, to an employee on the basis of his own

statement and the relevant document issued by the authorized institution the labor relation will be terminated for the period of military service and the remuneration and work place will be maintained.

#### **Article 20. Formation of Suspension of Labor Relations**

1. The decision regarding the suspended work remuneration about the employee's paid leave, unpaid leave, pregnancy, childbirth and child care leave, additional leave, temporary disability; military enlistment shall be formed by the order and maintained in the employee's personal affairs.

### **Chapter 6. Forms of Incentives and Compensation**

#### **Article 21. Forms of Incentives**

1. The following forms of promotion can be used for the success obtained during the work for the exemplary performance of official duties, as well as for the particular complex or important work performance, lengthy service and performance in good faith:

- A) Appreciation;
- B) Premium;
- C) Awarding a valuable gift;
- D) Granting the title of the best employee for the month, quarter, or year;
- E) Early withdrawal of a disciplinary measure;
- F) Granting the right to use the additional vacation days.

2. Several forms of incentives can be used simultaneously towards an employee.

3. A decision about the promotion of an employee, on the basis of the direct supervisor or controlling organ/department, is made by the leadership of the National Bureau of Enforcement. The ascertained decision shall be formed by the order and shall be maintained in an employee's personal affairs.

#### **Article 22. Compensation**

1. In case of a trauma or/and injury of an employee while fulfilling the service duties, he/she will be given a one-time assistance. The chairman of the National Bureau of Enforcement makes a decision about the amount of compensation depending on the gravity of the injury.

2. In case of death of an employee while fulfilling the service duties, the family of an

employee who died will receive one-time assistance with the amount of the perished employer's salary during a year.

3. A family of the employee who died while fulfilling the service duties shall receive one-time assistance of the accrued amount of 1250GEL for the compensation of burial expenses.

4. Paragraphs 1 and 3 of this Article do not apply to the employees of the Enforcement Police Department.

5. In case of death of an employee of the Enforcement Police Department by the attack while executing his service duties, the family of the perished employee is provided with the one-time assistance amounting 10 000 (ten thousand) GEL.

6. In case of a bodily injury caused to an employee of the Enforcement Police Department by the attack in relation with executing his service duties, which resulted in getting a status of a person with disabilities or became mutilated, is provided with the one-time assistance no more than 5 000 (five thousand) GEL.

## **Chapter 7. Disciplinary Punishment**

### **Article.23. Appointing the Disciplinary Punishment**

1. For violating the labor discipline by an employee, considering the committed misconduct, severity of the crime, circumstances of the commitment, the National Bureau of Enforcement is entitled to use the following disciplinary responsibility measures:
  - a) Note;
  - b) A reprimand;
  - c) A severe reprimand announcement;
  - d) The deduction of no more than ten calendar days of salary;
  - e) Abasement from the position;
  - f) Dismissal from work /dissolution of a labor contract.
2. One or more forms of disciplinary responsibilities may be used for one disciplinary violation.
3. The following cases may be considered as the violation of labor discipline by an employee:
  - a) Performance culpability of service duties, non-performance or improper performance;
  - b) Violation of law during the enforcement of subordinate acts foreseen under Article 2 of the Law of Georgia on "Enforcement Proceedings";
  - c) Violation of the requirements of the regulatory legal acts and manual documents of the National Bureau of Enforcement ;
  - d) An action, which jeopardized or is likely to endanger the life or health of the employees;
  - e) A dishonest behavior (culpable conduct) beyond moral norms directed against NBE or towards the discredit of its employees regardless of whether committed at work or outside;
  - f) An action, which caused the significant damage to the normal functioning and reputation of NBE;

- g) Unqualified, incomplete or unethical services provided to the citizens;
  - h) Disclosure of the confidential information;
  - i) To appear at work under the influence of alcohol or drugs or taking them while at work;
  - j) To cause material / property damage or to create the danger of such damages intentionally or by negligence to the National Bureau of Enforcement ;
  - k) Use of equipment and supplies of NBE without a permission.
4. About the disciplinary misconduct cases foreseen and unforeseen by the paragraph 3 of this Article, the National Bureau of Enforcement will discuss individually to assign the disciplinary responsibility measure against an employee considering the gravity of a misconduct and the circumstances of its commission.

The received decision shall be formed in writing and based on the findings, the relevant order shall be issued regarding imposing the relevant disciplinary responsibility by an authorized person of the National Bureau of Enforcement and it is kept in the employee's personal case.

- 5. Material incentives will be used during the execution period of the punishment to an employee to whom a disciplinary punishment is imposed, besides the decision made by the head of NBE in exceptional cases;
- 6. An employee is entitled to appeal in written against the imposed disciplinary punishment within a month from the issues of an order;
- 7. An imposed disciplinary punishment for an employee shall last for six months;
- 8. If an employee, during the execution period of the disciplinary punishment, will not be imposed another disciplinary punishment, the punishment shall be abolished after the six months from the issue of an order.
- 9. One or more than one disciplinary punishment may be assigned to one disciplinary misconduct case.
- 10. To commit misconduct before the abolition of a disciplinary punishment or removal of the disciplinary punishment prior the term is the basis to use the more serious disciplinary punishment to already imposed disciplinary punishment.

#### Article 24. Disciplinary Proceedings

- 1. The basis for starting the disciplinary proceedings:
  - a) A disciplinary misconduct exposed while conducting the monitoring by the Internal Inspection Service – a structural unit of NBE;
  - b) An application, complaint or an explanatory note of any employee of NBE or outsider;
  - c) Information obtained from various sources, which observes a fact of the disciplinary misconduct by an employee.

2. A structural unit of NBE – Internal Inspection Service, as well as the General Inspection of the Ministry of Justice of Georgia is entitled to conduct the disciplinary proceedings.
3. General Inspection of the Ministry of Justice of Georgia, within its competence, based on the results of the service examination, represents a request about imposing a disciplinary punishment against a person who committed a disciplinary punishment. To fulfill a requirement of the general Inspection is mandatory.
4. A disciplinary punishment shall be assigned to an employee within a month's period from the day since about the committed disciplinary misconduct was known to an authorized person, but in a case, when the service examination is conducted on the basis of an order of the chairman of NBE, no later than a month from its end. Based on the service needs, the mentioned term may be prolonged for no more than two months, if necessary the implementation office of disciplinary proceedings may prolong the above mentioned term.
5. Prior beginning the disciplinary proceedings an employee is obliged to provide the explanation to the person conducting the disciplinary proceedings. The person who is entitled to conduct the disciplinary proceedings is authorized to request all necessary information, documentation and materials regarding the fact of disciplinary misconduct, check the enforcement case materials, invite other persons and listen to their information.
6. The conclusion of the Internal Inspection Office is represented as a summary document of the disciplinary proceedings on the basis of which the head of NBE is entitled to issue an order regarding imposing a disciplinary punishment or terminating the disciplinary proceedings for an employee.
7. In case of an unconfirmed misconduct, the proceedings are terminated by a person conducting the disciplinary proceedings.

#### Article 25. Addressing an Employee with a Private Preference Card

1. In case a misconduct committed by an employer is confirmed by the conclusion of the disciplinary proceedings case, but if the chairman of the National Bureau of Enforcement considers it inexpedient to impose a disciplinary punishment to an employee, he is entitled to terminate the disciplinary proceedings and address an employee with a recommendation letter, which is not considered as a disciplinary punishment.
2. The chairman of the National Bureau of Enforcement signs the reference card.
3. A reference card is kept in the employee's personal case.

#### Article 26. Prohibition of Imposing a Disciplinary Punishment

1. A disciplinary punishment may not be imposed to an employee, if three years have passed since committing the misconduct.
2. The flow of the remoteness period starts from the day of committing the disciplinary misconduct and ends from the commencement of disciplinary proceedings.

3. During the suspension of labor relations it is prohibited to impose a disciplinary punishment to an employee.

#### Article 27. Early Removal of a Disciplinary Punishment

1. The chairman of the National Bureau of Enforcement is entitled to decline the disciplinary punishment to an employee in the form of incentives.
2. Early removal of a disciplinary punishment to an employee shall be conducted by the head of an employee's office or the head of the territorial bureau on the basis of the certified reference card.
3. Early removal of a disciplinary punishment is possible, if a person will not be charged with another disciplinary punishment during the two months from the imposition of a present disciplinary punishment;
4. In case of an early removal of a disciplinary punishment, the information about the imposed disciplinary punishment remains in the employee's personal case together with the issued order on his removal.

### **Chapter 8. Professional Development and Social Guarantees**

#### **Article 28. Training of Employees, Raise Qualification and a Rule related to the Reimbursement of its Expenses**

1. Raise qualification of an employee through a specialized training and/or internship.
2. A recommendation shall be prepared by the head of the relevant structural unit or territorial body regarding the necessity/inevitability to raise qualification of an employee.
3. National Bureau of Enforcement shall decide on the necessity/advisability of financing the recommended employee's capacity building on the basis of evaluation and considering the current year's budget. In Particular,
  - a) Capacity building costs may be provided by the National Bureau of Enforcement fully- up to 100%;
  - b) Capacity building costs may be provided by NBE partly – co-finance;
  - c) An employee may be refused on financing.
4. In case of financing the capacity building by NBE, an agreement act shall be formed between the NBE and an employee.
5. After the end of capacity building process, an employee is obliged to present the positive outcome certifying qualification document (Diploma, Certificate) to the Human Resources Management Unit at NBE.
6. In case of the unsuccessful outcome of the capacity building, an employee is obliged:
  - a) To improve the mentioned qualification at his/her own expenses.



- b) In case an employee refuses to raise qualification at his/her own expenses or the second attempt of the capacity building conducted at his/her own expenses shall finish unsuccessfully , the employee is obliged to fully cover all the expenses provided by NBE (including the business trip expenses);
- c) National Bureau of Enforcement is entitled to reimburse its own incurred expenses by detaining the sum due to NBE from an employee's salary.

#### Article 29. Conflict of Interests

- 1. No employee shall have any personal interest or the kind of external obligation, that affects his/her work activities or makes the harmful decision for the National Bureau of Enforcement.
- 2. An employee shall not undertake such obligations before other parties which contradict or are inconsistent with the employee's present or future service obligations.
- 3. An employee and/or his family member are not eligible to accept any kind of gift or benefit from any third party interested in receiving any services of NBE, benefit/interest. In case of any circumstances to receive any gift or benefit from a third person, an employee is obliged to notify the management of NBE immediately.
- 4. An employee who is required by his/her position to render free service (except the reimbursement paid for labor to an employee by the National Bureau of Enforcement) or make a decision, he/she is not entitled to receive or request compensation in the form of property or other benefit from the customer or any recipient of the relevant services.
- 5. An employee, who is required by his/her occupied position to render services or make a decision by the officially defined labor remuneration fee, is not entitled to request or receive additional compensation in the form of property or other benefit.

#### Article 30. Prohibition of Privileges and Ties of Relationships

- 1. None of the staff members of the National Bureau of Enforcement use any special privilege (such as the length of vacation, the rules of conduct and protection of other norms).
- 2. Close relatives and family members are not prohibited to work in the National Bureau of Enforcement. A necessary condition for relatives to work together is the following:
  - a) They shall not govern together the finances and property of NBE;
  - b) They shall not work in one structural unit and/or under each other's direct subordination.
- 3. While hiring a person on work or transferring a person to another position, an advantage may not be granted to a close relative or a family member of the employee without any objective basis.

### Chapter 9. Termination/Dissolution of Labor Relations, the Final Settlement

#### Article 31. Dismissal from Work

1. An employee has the right to request the termination of labor relations, about which he/she should inform in writing the National Bureau of Enforcement prior 30 (thirty) calendar days.
2. The National Bureau of Enforcement may terminate the labor relation with an employee with the following grounds:
  - a) Agreement between the parties;
  - b) Expiration of a labor contract;
  - c) Fulfillment of work stipulated by the contract;
  - d) Dissolution of a labor contract;
  - e) A court verdict or decision entered into force, which eliminates the possibility of work performance;
  - f) Long-term disability if a disability exceeds 30 consecutive calendar days in a row, or within 6 months period the common term exceeds 50 calendar days, in addition, an employee has used vacation prescribed by article 18 of the Internal Regulations.
  - g) Death of an employee;
  - h) Commencement of liquidation proceedings of NBE;
3. The termination of the labor relation is prohibited due to military reserve and/or military service, as well as vacation, temporary work disability and/or pregnancy, childbirth, childcare and a leave due to adoption of a newborn baby.
4. National Bureau of Enforcement is entitled to dissolve a labor contract with an employee, which shall result in termination of the labor relations:
  - a) During the reorganization of the National Bureau of Enforcement;
  - b) While reducing the number of employed persons (personnel changes);
  - c) In case an employed person violates his/her own obligations;
  - d) While non-fulfillment of service duties or improper performance, indifferent attitude towards work.
  - e) In case of violation of the requirements of the present Internal Regulations, internal legal and other regulatory acts of work;
  - f) In case of such an act committed by the employed person, which caused or likely to cause a material and/or moral damage to the National Bureau of Enforcement, besmirching its reputation, including the spread of harmful information, disclosure of confidential information, negligence of general principles of morals and rules of conduct;

- g) In other cases defined by the law.
5. The final settlement with the dismissed employee is made by transferring assets under his/her temporary usage and NBE's own material, technical, intellectual assets to an assignee of NBE after representing a certifying list (Annex # 3) to a relevant subdivision of NBE. In case of the inventory shortage registered under the name of the dismissed person, the final payment shall be suspended until submission of the shortage or exemption of his/her guilt in the shortage.
  6. In case the guilt of a dismissed person is approved in the inventory shortage under his/her name, the amount equivalent to the value of the shortage shall be deducted from the final payment. If the sum of the final account cannot cover the shortage, the dismissed person shall be deemed as a person owning debts to the National Bureau of Enforcement. NBE shall determine the debt collection procedures in accordance with the legislation of Georgia.
  7. Upon completion of labor relations, the final payment to an employee shall be made no later than 7 calendar days after submission of a certifying list on transferring material goods by the employee. The final payment includes compensation for the days worked in the current month and compensation for the termination of labor relations, if any.
  8. In case of dissolution of a contract initiated by NBE, the National Bureau of Enforcement shall provide the compensation of one month salary to an employee. The compensation base for calculation is the fixed salary of the employee's work in the last month.
  9. In case of dissolution of a contract by the initiative of NBE the compensation shall not be granted during the probation period.

## Chapter 10. Mandatory Behavior Rules

### Article 32. Dress Code

1. Employees at NBE are required to take care of personal hygiene, dress code and appearance.
2. During the working hours at NBE an employee shall apply the style of business attire.
3. It is prohibited to appear at work in sports shoes or sports clothes.
4. Men are prohibited to appear at work unshaved.
5. Women are not allowed to appear at work with irregular hairstyle.

## Request on a Service Card about a Mission

Purpose of a trip:		
Destination/s:		
Departure and Arrival Dates:	From -	Including to –
Number of days on a mission: Including the departure and arrival days	... calendar days	
Name of a person/s on a mission: <i>First Name, Last Name</i>	1.	
	2.	
	3.	
	4.	
Hotel expenses:	The cost of the hotel room: Required number of hotel rooms: The total cost:	
The number of vehicles:		
Fuel type:		

# Mission Certificate

The person assigned on a mission . . . . .

First name, Last Name, Position

. . . . .

Destination Point/Organization Name

Basis: Order №, „ „ 201 . Term of a mission: „ „ Day

An authorized person:

Signature, Seal

Notifications about going on a mission, appearing at a destination point and departing from there:

Departed: — — — — From — — — —

Appeared: — — — — - On — — — — — — — —

" — — — — — — — — — — 201--.

" — — — — — — — — — — 201--.

Signature:

Signature:

Seal:

Seal:

Departed: \_ — — — — — — — — From

Appeared: — — — — — — — — On — — — — — — — —

" — — — — — — — — — — 201--.

" — — — — — — — — — — 201--.

Signature:

Signature:

Seal:

Seal:

Departed: — — — — — — — — From — —

Appeared: — — — — — — — — On — — — — — — — —

" — — — — — — — — — — 201 .

" — — — — — — — — — — 201--.

Signature:

Signature:

Seal:

Seal:

Departed: — — — — — — — — From — —

Appeared: — — — — — — — — On — — — — — — — —

" — — — — — — — — — — 201--.

" — — — — — — — — — — 201 .

Signature:

Signature:

Seal:

Seal:

Annex of a Mission Certificate: „ — — — —, on the paper.

### Calculation

Issued in advance:	GEL
Spent:	GEL
Balance:	GEL
Overdraw:	GEL

Annex: „-----“ Document.

Date	For what purpose and on the basis of what document was the amount paid	Total (GEL)
Total:		

Head of Office:

Chief Accountant:

*Signature*

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## Traversal Sheet

<b>First Name/Last Name of an Employee:</b>	<b>Date and Number of the Order about the Release</b>		
<b>Structural Unit:</b>	<b>The Completion Date of a Document:</b>		
<b>Information about the transfer of working inventories of an employee</b>	<b>Signature of a Direct Head:</b>	<b>Signature of the Head of the Responsible Office/Department</b>	
Financial Debt:			
Computer/ Other Technology: 1. 2.			
Office Equipment: 1. 2.			
An Official Stamp:			
Office Documentation: 1. 2.			
Number of Work Days/Hours:			
Office Uniform:			
Corporate Mobile Phones:			
Fuel Coupons:			
The right to work in the electronic doc-flow software:			
Corporate E-mail address:			
The right to work in the enforcement case-management software:			
Service Certificate, Pass, Badge, Corporate Insurance Card:			