

LEPL Prevention for Progress

Bylaw of the organization

Tbilisi 2022

Chapter I. General Provisions

Article 1. Scope and Frameworks of the Bylaw

1. The Bylaw is a policy document which regulates the relationship between the administration and the employees, as well as between the employees of the non-profit (non-commercial) legal entity - Prevention for Progress (hereinafter referred to as the organization). It determines organization's approach and policy towards equality, discrimination, harassment, equal opportunities, as well as rights and responsibilities of the employees, work conduct standards, rules of employment and dismissal, promotion and disciplinary measures and other topics which are subject to internal regulations.
2. The content of the bylaw corresponds to and is based on the legislative normative acts and bylaws of Georgia.
3. If any of the rules established by this document contradicts the statute of the organization, the norm established by the statute shall apply.
4. Compliance with the principles and rules determined by the document is mandatory for every employee of the organization, including interns and volunteers.

Article 2. Purpose and Audience of the Bylaw

1. This bylaw determines the employment management policy.
2. Purpose of publishing the bylaw is informing the employees on their rights and responsibilities, as well as informing partners and other stakeholders on the organization's order and procedures.
3. The bylaw are an integral part of all labor contracts with the employees.

Chapter II. Principles of Organizational Work

Article 3. Impartiality of the Organization

The organization is a non-governmental, non-political, non-commercial organization. Employers are hired for their professionalism and moral values, regardless their political, religious, and other views. Use of organization's financial or other resources in support to any political party or campaign is prohibited. Any kind of political agitation by political entities is inadmissible in the office of the organization.

Article 4. Healthy Work Environment

1. Every employee of the organization shall try to be benevolent towards other employees. An employee is responsible towards other employee and/or organization partner for any kind of arguing

and misunderstanding if such is a result of their behavior and endangers the reputation of the organization.

2. Every employee of the organization shall care for the reputation of the organization. Employees must be patient and attentive when interacting with each other and partners.

3. All employees of the organization are obliged to show kindness and attention towards partners and beneficiaries and show them maximum support within the frameworks of the principles and rules of the organization.

Article 5. Equal Opportunities and Non-discrimination

1. The organization creates equal opportunities to work or be promoted to all its employee, regardless of their race, color, sex, sexual orientation, marital status, origin, ethnic, language, religion, political or other views, disabilities, social affiliation, property and rank, residence, or any other affiliation. These rules apply to all areas of the organization's work.

2. None of the organization employees, regardless of position, work experience or other reasons, is granted any kind of privilege. Organizational advancement and promotion shall be solely based on personal achievements and principles of meritocracy. Each employee of the organization shall comply to the rule of the bylaw and act to achieve the goals and objectives set forth in the statute.

Article 6. Non-violence

1. Any form (verbal, non-verbal, gesture, written, etc.) of violence (physical, psychological, moral, material, sexual, etc.) is inadmissible, prohibited, and incompatible with the activities of the organization.

2. Any kind of ill-treatment, unreasonable and ungrounded interference and obstruction of one person to another person's work, or any other action that creates an abusive and hostile work environment can be defined as violence.

Article 7. Conflict of Interests

1. The organization is essentially based on the principles of mutual respect and trust and is an association of motivated individuals with common values. The organization does not prohibit employment or the relatives, if that means employment of people for their professionalism, other than for their relationship and nepotism, excluding the cases when such persons have access to finances of the organization. More precisely, kinship between the Director of the organization and financial manager/accountant of the organization is inadmissible.

2. For the purposes of this regulation, grandfather, grandmother, father, mother, adoptive, adopted, sister, brother, spouse, children, and grandchildren shall be deemed as a kinship.

Article 8. Gifts

1. None of the organization employees has right to accept any kind of gift from the donor or partner organization, beneficiary, applicant, grant receiver, or competitor. Receiving a gift providing that the employee will influence the decision on selecting a grant beneficiary, supplier, or other partner, is a violation. Employee can receive a gift in case it is given to the organization as a whole, gift is in a form of a souvenir or is given as showing respect and its value does not exceed 100 Gel.

2. None of the employees on the organization can receive any kind of gift from the partners of the organization if its value exceeds 100 Gel.

Article 9. Confidentiality

1. every employee of the organization shall maintain confidentiality and do not disclose internal information of the organization.

2. Confidential information of the organization may contain: planned or ongoing programs of the organization, short and long-term plans, financial and program reports, information on organization partners, employees, or other topics, on which an employee has been warned verbally and / or in writing by the Director.

3. Confidential information of the organization can be used for private purpose only with the consent of the Director.

Article 10. Prohibition of Drugs and Alcohol

1. All employees are prohibited from being under the influence of drugs or alcohol or other narcotic substances while being in the office of the organization or carrying out activities on behalf of the organization. This principle does not apply to the persons undergoing appropriate treatment at a medical facility and due to this the narcotic substances are detected in the blood.

2. Storage and consumption of alcohol, drugs, or other chemical substances, as well as usage for purposes incompatible with office activities is prohibited.

3. every employee of the organization is obliged to notify governing bodies about such facts, if such discovered.

Chapter III. Rights and Responsibilities of the Governing Bodies and Employees of the Organization

Article 11. Rights and Responsibilities of the Governing Bodies

1. Governing bodies of the organization (hereinafter – administration) have right to:

- a) Manage activities of the organization and independently make decisions within the scope of their authority;
- b) determine the number of employees required for a specific job; require the employee to fulfill the job obligations stipulated in the employment contract and job description;
- c) Introduce incentives system for the successful work, address disciplinary measures for respective violations;
- d) Require employees to comply with the rules, orders issued, and legal requirements set by the organization.

2. Administration is responsible to:

- a) Act in accordance with the organization's bylaw and the requirement of this bylaw, as well as of the board decisions and the legislation of Georgia;
- b) Take appropriate measures to ensure all the employees are involved in advancement and development;
- c) Develop job descriptions and distribute workload in a manner that every employee has clearly defined job to do during a day;
- d) Introduce the bylaw and other rules in force to a new employee prior to signing the agreement;
- e) To take care of the professional development and qualification of the employees, as well as to increase the labor productivity, with the resources at its disposal;
- f) Regularly accept and discuss ideas of the employees on the organization development, advancement, improved working conditions and other innovative ideas;
- g) Ensure the ability of employees to take leave;
- h) Introduce assessment and motivation system for the successful work of the employees;
- i) Ensure relevant and timely measures for the disciplinary misconduct;
- j) In order to secure labor conditions, create environment safe for the life and health of the employee;
- k) Provide employees with the material and technical equipment necessary for their job;
- l) Treat requests and demands of the employees attentively and with respect;

m) Create a business and creative environment for the team, support and develop the initiative and activity of the employees in every way, review employees' critical remarks and suggestions and inform them of the measures taken on time;

n) Within the possibility and competence, care for the social, economic and legal protection of the employees.

Note: For the purpose of this bylaw, governing authorities /persons are referred implies persons authorized to make decisions on behalf of the organization, in particular, organization board, head of the board, Director and deputy Director.

Article 12. Rights and Responsibilities of the Employees:

1. Employees have right to:

a) Request relevant material and technical equipment to successfully conduct business-related activities;

b) Protect their professional dignity;

c) Improve the qualification in accordance with this bylaw and the forms and schedule of professional development established by the administration;

d) Exercise benefits designed for the employees;

e) Within their competence, choose methods and means of fulfilling their business activities serving the objectives of the organization.

2. Employees are responsible to:

a) Personally, conscientiously fulfill the imposed obligations in accordance with the position, specialty and qualification; to act in the interests of the organization;

b) Comply with the conditions set by the labor agreement, this bylaw and other internal legal act, follow legitimate instructions of their managers, as required by their labor contract;

c) Fully use working time for organization purposes, refrain from the activities which will prevent other employees from exercising their rights and responsibilities at work;

d) Notify administration in a timely manner about possible non-fulfilment of their responsibilities and the justification of the non-fulfilment;

e) Make every effort to promptly eliminate the causes and conditions that interfere with or complicate normal operation and to immediately notify the administration of the incident;

f) Constantly seek to improve their professional skills;

- g) Care for the property of the organization, keep workspace and technical equipment in order, strictly follow the rules for storage material valuables and documentation;
- h) Refrain from the activities which prevents operation of the organization and destroys the business reputation, dignity and prestige of the organization;
- i) Fulfil the decision and reference of the manager.

Chapter IV. Rules for Hiring Employees

Article 13. Principles of hiring employees

1. On any position, organization hires employees based on their professionalism, relevant qualification, personal and moral values and the candidate's successful work experience required for the position.
2. Candidates have equal opportunities and are hired only upon meeting selection criteria, regardless their race, color, nationality, sex, age, disabilities, marital status, sexual orientation, or other.
3. Generally, close relatives, such as grandmother, grandfather father mother, adoptive, adopted, sister, brother, spouse, children and grandchildren, shall not be hired, except the cases, when a contest committee decides that deviation from this policy is in the best interests of the organization.

Article 14. General rule for hiring employee

1. Decision to hire new employee for the organization is taken by the contest committee through open or closed contest.
2. As an exception, an employee can be hired/agreement signed by the organization without the contest, if, considering previous business relations and knowledge assessed in practice, as well as taking account the experience and professional skills, administration deems a person as the most desirable candidate.
3. Contest committee consists of three permanent members, represented by the board chairman, Director and a deputy Director of the organization. Contest committee may also be represented by the coordinator of the project, a candidate shall be hired within. A participant in an internal contest may not be a member of the competition commission.
4. Open contest is announced through the official website of the organization and/or other internet resources.
5. Internal contest is announced through internal communication means of the organization and only employees of the organization have right to participate in it.

6. Organization shall publish a vacancy announcement within reasonable time before the deadline for submitting the applications.

Article 15. Requirements for the employee

1. The employee of the organization can be a person who has reached the age of 18, has relevant knowledge and experience and speaks the official language of Georgia. Employment on a person under 18 is allowed in exceptional cases, in accordance with the labor law principles.

2. The Director determines additional requirements for the employee for every specific case, taking into account the job specifics and objectives of the organization.

3. Each employee shall be acquainted and recognize the statute, bylaw and financial policy, as well as rules for conduct or the organization and their own job description.

Article 16. Terms and conditions of announcing and holding the competition

1. To start selection process for a full or part time employment, the Director of the organization or relevant project coordinator develops a job description.

2. Vacancy announcement shall contain a position name, job description, summary of responsibilities, required qualification and documentation. It shall also indicate email or office address, where the interested candidates can send/deliver required documentation.

3. List of documents to be submitted to the contest is determined in accordance of organization needs and vacant position requirements. Application must at least contain:

a) Resume;

b) Motivation letter;

c) recommendation letter or contact information of reference persons, if needed (indicating reference persons is not necessary during internal contest).

4. Based on information and documentation submitted, the selection of candidates is carried out in 3 stages, on the first stage, a contest committee selects the candidates on a formal basis, in particular, completeness and relevance of submitted documents is checked. On the second stage, candidates are selected for an interview based on the resume, motivation letter and recommendation, the thirds stage consist of an interview or/and written/verbal exam/interview.

5. Employees of the organization have equal right to participate in both open and internal contests. Only organization employees can participate in an internal contest. Before submitting application, candidates shall notify their project coordinator or line manager about their wish to move to a new

position of to combine other organizational activities. Contest of the Director is not required to apply. Full workload of an employee shall not exceed 100%.

6. On the second stage, the contest committee should rank the candidates and develop a list of the best candidates for the third stage, based on the resumes, enclosed materials and verification of recommendations.

7. Candidates who, in the opinion of the committee, are most suitable for the position, will be admitted to the interview based on the information submitted. Similar questions and tests shall be used for all candidates during the interviews. Each interview shall be documented and questionnaires signed by a member of the committee.

8. Contest committee shall select the best candidate with the decision of the majority of members. In case selecting a candidate is impossible, committee makes decision on the need to annule the contest and announce a new one.

9. Employee selection documents must be kept in the organization for a year.

Chapter V. Rules for Concluding and Termination of the Labor Agreement, Personal Case Management and Reimbursement

Article 17. Concluding the labor agreement

1. Labor agreements with all employees are signed based on the labor code, organization statute, this bylaw, job description for the position, established staffing rate and job characteristics.

2. Term contracts with probationary period and term contracts with term of work (service agreement) are concluded in the organization. Duration of a labor agreement depends on the essence of the work and can be concluded for the duration of the project.

3. Labor agreement is drafted in two copies having the same legal force, signed by the employee and authorized person of the organization.

4. Statute of the organization and this bylaw is an integral part of all agreements concluded by the organization. Apart from these, agreement sign between the organization and the employee should consist of the following information:

a) Exact volume of workload / exact number of working hours;

b) Salary amount;

c) Rights and responsibilities of the parties;

d) Term of the agreement;

e) other important points.

5. Labor agreement conditions are set and signed by the Director. Agreement to be signed with the Director is developed and signed by the board chairman.

Article 18. Probation term

1. Probation term is a specific duration of time, in the beginning of employment period, when an employer and employee test each other and either side, for whatever reason, can terminate a labor agreement. The employee is initially hired for a probationary period of 1, 3 or 6 months.

2. By the end of the probationary period, the employee's immediate project coordinator will meet with the employee on probation to discuss the adequacy of the quality of work performed by that employee. If the immediate manager decides that the employee does not adequately fulfill the duties, but the problem can be solved and if the employee wishes so, an agreement will be reached. Project coordinator can recommend the Director either on the continuation of employment, or the termination of labor agreement with this employee.

Article 19. Grounds for Termination of Labor Agreement

Grounds for termination of labor agreement are the grounds established by the labor legislation of Georgia, including:

- a) Expiration of labor agreement term;
- b) Completion of the job determined by labor agreement;
- b) Termination of labor agreement initiated by an employee or the organization;
- b) written agreement among the parties;
- e) Gross violation of the employee's obligations imposed on them by the individual labor agreement, the organization's statute and / or the bylaw;
- f) Violation of the employee's obligations imposed on them by the individual labor agreement, the organization's statute and / or the bylaw, if any disciplinary measure set in the bylaws has already been applied to them during the last 1 year;
- g) Long-term incapacity, if its term exceeds the limit set by the bylaw;
- h) The entry into force of a court judgment or other decision that excludes the possibility of performance of work;
- i) Initiation of a liquidation process if the employer legal entity;
- j) Other objective circumstances which justifies the termination of the labor agreement.

Article 20. Termination of Labor agreement initiated by the administration or an Employee

1. The employment agreement may be terminated at the initiative of the Director, in accordance with the rules established by the labor legislation of Georgia.
2. In case of termination of the employment agreement at the initiative of the Director, the employee will be paid one month's salary.
3. In case of early termination of the employment agreement at the initiative of the employee, the employee is obliged to notify the immediate manager and the Director in writing 30 calendar days prior to resignation. The employee will be reimbursed according to the number of working days, including the last working day. If the employee does not notify the organization of the resignation in writing, the organization reserves the right not to pay the last month's salary to the employee.

Article 21. Procedures for Termination of the Labor Agreement

1. Termination of an employment agreement must be done in compliance with the labor legislation and the rules established by this bylaw.
2. As a rule, termination of labor agreement is formalized by the order of the Director, indicating the reason for termination. At the request of the employee, the administration is obliged to issue a copy of the order terminating the labor agreement.
3. Upon the request, the organization also provides the employee a work certificate, indicating position of the employee, salary and period of employment in the organization, as well as a brief description of an employee, if required (fair and balanced evaluation of a job fulfilled) and reasons for termination of an agreement. Organization will respond similarly to any specific request on issuing the recommendations.
4. Employee leaving the organization immediately returns documentation under their possession, to the Director/project coordinator the property of the organization listed on them, including equipment, project stationery, business cards and files.
5. The administration has to make a final payment to the employee no later than 7 days after the termination of the labor contract agreement with the employee.

Article 22. Personal File on an Employee

1. All employees have a personal file, the rules and content of which are determined by this bylaw and other orders of the Director.
2. Personal file of an employee shall contain following:
 - a) Autobiography (CV);

- b) Copies of documents certifying education and other academic achievements;
 - c) Labor agreement;
 - d) Copy of ID or a passport;
 - e) Job description;
 - f) Letters of recommendation (if any);
 - g) Documents proving the use of incentives and disciplinary action;
 - h) Written request for termination of the agreement and an order from the Director to terminate the agreement.
3. All documents except passport, diploma and certificates must be originals.
 4. Personal file is confidential and is stored in the office closet locked by the Director. The file can only be accessed by the Director, deputy Director and board members.
 5. Storage of personal files of the employees, access to them, further procession, destroying is carried out with the rules established by the Director, in compliance with the basics and principles of data processing envisaged by the Georgian Law on Personal Data Protection.

Article 23. Remuneration

1. Salaries of the employees are a necessary component for effective work and employees are remunerated in accordance with the rules and conditions established by the labor agreement. Remuneration issues and other financial matters are ruled by the organization's financial accounting guideline.
2. Salaries are paid in Georgian Lari, with the bank transfer, by transferring the amount to employee's account.
3. The organization transfers the remuneration earned for previous month at the beginning of each subsequent month, no later than 5th date, unless otherwise set out in the labor agreement. The reason for the salary delay can be an insurmountable circumstance that will prevent the timely payment of the amount (e.g. delayed transfer of the amount foreseen by the agreement by donor organization).
4. Financial manager of the organization is responsible for accurate calculation and timely transfer of salaries.

Chapter VI. Work, Break and Days Off

Article 24. Work and Break Time

1. Standard work week is an 8-hour working day and a 40-hour working week, Monday to Friday. Working hours are 10:00 to 18:00, including one-hour break. An employee has right to use this break as desired.
2. Working hours for part-time employees are defined in proportion to the workload percentage and is indicated in the job description and labor agreement.
3. In the events established by the labor legislation employees are given additional break during the day.
4. All employees are required to report at work on time and stay on duty until the end of working hours. An employee shall not stay at work after working hours for personal reasons. In case of war or state of emergency, pandemic, according to the nature of work to be performed or other circumstances, an employee has right to work remotely, in agreement with the administration, without visiting the office of the organization.
5. In exceptional cases, the organization may require employees to work extra hours (overtime work) in compliance with labor law requirements. In such cases, the employee must be reimbursed for working hours. Overtime hours can be reimbursed in payment or compensatory time. Amount of payment or time is calculated by the Director.
6. If the reason for absence of an employee from work is unacceptable to the immediate supervisor, or the employee being late at work becomes regular, they may be subjected to disciplinary sanctions, including dismissal from work.

Article 25. Days Off

1. Day off is time between the workdays of the employees (Saturday, Sunday), holidays established by the Labor Code of Georgia and additional days established by the Director.
2. The Director is authorized to establish additional days off in addition to the ones provided by the labor legislation of Georgia.
3. The employee has right to request other days off instead of established ones, which must be specified in the labor agreement.

Chapter VII. Vacation

Article 26. Duration of Vacation and Usage Rule

1. The employee is entitled to 24 working days of paid leave, as well as 15 calendar days of unpaid leave per year. In case labor agreement term is less than a year, employee is entitled to use 2 days of paid leave and 1 calendar day of unpaid leave per each worked month.
2. Annual leave cannot be taken for the first 3 months of employment. After 3 months, an employee can plan annual leave for the maximum of the accumulated days by the start date of the vacation. .
3. Subject to the requirements of paragraph 1 of this Article, an employee may take annual paid leave at any time of the year in the order specified by the Director.
4. Subject to the requirements of paragraph 1 of this Article, an employee may take annual paid leave at any time of the year, but in agreement between the employee and the administration.
5. Based on the agreement of the administration and the employee, the leave can be divided into parts.
6. If granting paid leave to an employee in the current year may negatively affect the normal workflow, an agreement between the organization and the employee may allow the transfer of part of the paid leave to the following year. Transferring paid leave for 2 years in a row is not allowed.
7. It is desirable for employees to use the vacation days on time, but if an employees will not use their leaves during a year on their own initiative, only 10 days from the accrued vacation will be transferred to the next fiscal year, starting from 1st of January.
8. Unpaid leave cannot be transferred to the next year.
9. Other topics related to the leaves are regulated by the labor agreement and labor legislation of Georgia.

Article 27. Leave During Temporary Incapacity for Work

1. Absence from work due to illness of an employee is considered honorary if the medical certificate is submitted.
2. Employee with the labor agreement term for more than a year is entitled to the leave due to temporary incapacity for work which shall not exceed 40 consecutive calendar days or 60 days in 6 months. If the labor agreement term is less than a year, such days are calculated proportionally.
3. Absence due to temporary incapacity is subject to usual reimbursement and is not referred to as paid or unpaid leave.

4. In case the duration of temporary incapacity from work exceeds the period indicated in paragraph 2 and an employee has already used annual paid and unpaid leaves, the Director of the organization has right to terminate labor agreement or to continue it without compensation.

Article 28. Vacation Due to Personal and Family Circumstances

Employees are entitled to 5 (five) additional paid leave days due to personal and family circumstances in the following events:

- a) Marriage;
- b) Child birth (for men);
- c) Marriage of children;
- d) Illness of children;
- e) Illness (without submitting medical certificate);
- f) Illness of a family member requiring intensive care;
- g) Death of a family member.

Article 29. Leave Request

1. Vacation schedule should be agreed with the project coordinator and the Director.
2. When scheduling vacation, an employee should take into account the interests of the organization and should take leave during the period agreed with the line manager. Manager shall approve the vacation if no obstructive reasons foreseen. In any case, the work schedule of the organization shall be taken into account and the responsibilities on the employee shall not be distributed to other employees due to their long absence.
3. Leave request signed by the line manager shall be submitted to the Director for approval. Finally, the Director approves all leave requests.
4. Approved leave request shall be stored in the employee's personal file.

Article 30. Leave Due to Pregnancy and Childbirth, Childcare, Child Adoption and Additional Leave for Childcare

Leave Due to Pregnancy and Childbirth, Childcare, Child Adoption and Additional Leave for Childcare is granted to the employee in accordance with the labor legislation.

Chapter VIII. Business Trip

Article 31. Business Trip of the Employees

1. Business Trip is a change of employment place of an employee by the employer in the interests of the job.
2. The Director makes decision on the business trip of an employee depending on the specific situation and tasks. Employees are entitled to request business trip for the effective performance of the duties directly assigned to them. In such cases, an employee addresses the line manager or the Director with the request. The request shall contain purpose and term of the business trip.
3. The organization shall fully reimburse expenses related to the business trip to the employee. Financial accounting document of the organization established the amount of per diem for the business trips inside or outside the country, as well as hotel selection and general rule for reimbursement.
4. In case business trip expenses for the conferences, symposiums, seminars or other similar events are covered by the organizer, the organization does not reimburse the expenses.
5. An employee travelling on a business trip on his own car will be reimbursed for fuel costs.

Chapter IX. Rules for the Use of Incentives and Disciplinary Measures

Article 32. Labor Discipline

Employees are obliged to observe labor discipline, bylaw and other internal legal acts, to show mutual respect and collegiality, to observe the norms of ethics.

Article 33. Incentives

1. The following incentive measures can be applied to employees for their success in the working process:
 - a) Expressing gratitude;
 - b) Monetary bonus;
 - c) Valuable gift;
 - d) Promotion.
2. Incentive measure is determined and applied with the Director's order, with or without nomination from the line manager.
3. Each incentive measure is reflected in the personal file of an employee.

Article 34. Disciplinary Measures

1. The following disciplinary measures can be applied towards the employees:

- a) Notice;
- b) Reprimand;
- c) Demotion;
- d) Termination of a labor agreement (dismissal from work).

2. Disciplinary measure is determined and applied with the Director's order, with or without nomination from the line manager.

3. Each disciplinary measure is reflected in the personal file of an employee.

Article 35. Disciplinary Violations and Means of Disciplinary Measures

1. Notice and Reprimand are mild forms of disciplinary measures used for the disciplinary violations such as:

- a) Ignorance the requirements of the organization's statute;
- b) Violation of the requirements of the organization's bylaw;
- c) Refusing to follow the legitimate or reasonable instructions of the immediate supervisor or encouraging other employees to do so;
- d) Violation of organization's rules;
- e) Being late at work or/and unreasonable absence.

2. Demotion and termination of the labor agreement are grievous forms of the disciplinary measures and are used for the harsh disciplinary violations, such as:

- a) Repeated disciplinary misconduct by an employee who has been warned or reprimanded in the past year;
- b) Deliberate damage to the organization property;
- c) Illegal possession or use of office equipment without proper authorization;
- d) Misuse or misappropriation of cash and/or expense reports intended for small office expenses;
- e) Alcohol or drug consumption during working hours and within work premises;
- f) Illegal storage and carrying of firearms and/or cold steel, as well as prohibited substances on the territory of the organization;

- g) Action which endangers lives or health of other employees, results in sexual or other types of harassment or discrimination;
- h) Finding guilty for the criminal offenses;
- i) Any action that may cause activities/reputation of the organization;
- j) Disclosure of confidential information.

Chapter X. Complaint and the Procedure for its Consideration

Article 36. General Rule for Consideration for a Complaint

1. The employee should first file a complaint with their own project coordinator. If the employee is not satisfied how the complaint was resolved, he has right to address the Director in writing.
2. Director notifies the employee on accepting the complaint and request written report on the topic from the line manager. If the director deems it appropriate, he will appoint a meeting with the employee and project coordinator within 10 days.
3. During the meeting, the Director will give an opportunity to express their views and vision on how the problem can be solved to both parties. After the meeting, or without it, the Director reviews the case and notifies the decision to both parties.
4. If the employee is not satisfied with the decision, he can appeal to the organization board in writing. The board will consider the matter and notify the parties of the final decision.

Article 37. Appealing for the Action Related to Violence, Discrimination and Sexual Harassment

1. It is a priority for the organization to create environment free from violence, discrimination, sexual harassment and pressure.
2. For the purposes of this bylaw, violence includes physical as well as psychological violence discrimination means unjustified differentiated attitude towards the employee due to any sign; Sexual harassment applies to a verbal, non-verbal or physical behavior of an undesirable sexual nature, aiming to and/or resulting in insulting person's dignity and creating a hostile, intimidating, abusive or degrading environment.
3. Sexual pressure includes requests of sexual nature and any other verbal or physical action, when tolerating such behavior becomes a condition or ground to any kind of decision, or when such action creates intimidating, hostile or abusive work environment. This bylaw also specifically prohibits sexual pressure between the same sex persons. Sexual harassment may occur in horizontal, as well as vertical environment. None of the superior employees or managers have right to promote an employee or refuse

promotion or carry out any forced changes in employment status in exchanged to fulfillment or refusal of sexual requests.

4. Sexual harassment is not limited to strongly expressed sexual desires; but can also include actions such as sexual jokes, mockery and anecdotes; regularly repeated abusive sexual flirtations, attempts or offers; obscene or sexually explicit speech or gestures; exhibiting or distributing printed or visual material of obscene or sexual content; abusive physical contact, such as touching, putting or rubbing the hand, squeezing, rubbing against another person's body. This bylaw also prohibits any kind of hostile behavior based on sex, regardless the fact that the abuser and victim are of different or same sex. The bylaw prohibits sex-based pressure, regardless of whether this pressure reaches the level of legal violation. The listed below is not comprehensive, as sexual harassment may involve any behavior of a sexual nature that is undesirable to the recipient.

5. Every employee, including those on probation or internship, who thinks they have experienced violence, unequal treatment or sexual pressure, has right to address the appeal to a special committee within the organization.

6. Every employee, including those on probation or internship, who thinks they have experienced violence, unequal treatment or sexual pressure, has right to refuse appealing to internal mechanism of the organization and immediately address the subjects authorized to resolve the issue by the legislation of Georgia, including Public Defender of Georgia or the court.

7. Every employee in the organization is obliged to notify governing bodies (individually represented in the appeal committee), if such facts occur in the organization office or elsewhere, related to the activities of the organization and such behavior is committed by an employee, contractor or recipient of the organization.

Article 38. Consideration and Resolving Appeals Related to Violence, Discrimination and Sexual Harassment

1. Appeals related to violence, discrimination and sexual harassment is reviewed by the special committee consisting of the board chairman, director and deputy director of the organization. If a committee member is involved in such action, the appeal is review by the board of the organization. A third party / independent expert may be invited as a member of the special committee, if necessary.

2. The committee members have been trained on the mechanism of prevention and regulation of sexual harassment of the organization. They also have legal knowledge about sexual harassment.

3. Committee members shall fee free from the conflict of interests towards alleged abuser, alleged victim and each other. Members are obliged to follow the principles of good faith and confidentiality. Violation of the principle of good faith, impartiality or confidentiality by them is a ground for disqualification.

4. All the reports describing behavior inconsistent to the bylaw will be investigated timely and fully. Confidentiality will be ensured as far as possible, taking into account the needs of the investigation.

5. After receiving the appeal related to the violence, discrimination of sexual harassment, the committee/board of the organization reviewing the case:

- a) Immediately registers date, time and actual circumstances of the incident(s);
- b) Informs alleged victim that he can also submit a complaint outside the organization, in accordance with the country legislation;
- c) Ensures informing alleged harasser / perpetrator on the receipt of a complaint;
- d) Get acquainted with the views of the alleged victim;
- e) Get acquainted with the views of the perpetrator;
- f) Interview third parties who may have relevant information;
- g) Reviews evidence proving or disproving the case;
- h) Prepares the final conclusion on the prohibited action.

6. In order to determine whether an action is a sexual harassment it is important to consider the alternative/cumulative existence of the following indicators. Below listed indicators are not comprehensive and presence of a single indicator may be sufficient to confirm sexual harassment:

- a) Duration and repeatability of the action;
- b) The form severity of behavior;
- c) Assessment of the situation by the alleged victim and their psycho-emotional state;
- d) Number of alleged victims;
- e) The nature of the relationship between the alleged victim and the perpetrator; also, consideration shall be given to the impact that the alleged perpetrator may have on the victim;
- f) Other.

7. The committee has right to implement additional temporary measures until the decision is made:

- a) Allow alleged victim not to go to work until a decision is made. The period will not be considered as vacation and the employee will get the reimbursement. If possible, alleged victim shall perform their duties remotely;
- b) Prohibit the alleged perpetrator from carrying out administrative measures, supervising or evaluating the alleged victim;
- c) and other temporary measures, which will help both parties to continue the work process before making a decision.

8. The committee makes decisions through open vote, with the majority of votes and in writing. In a committee member does not agree to the decision, they have right to state different opinion in writing.

9. The decision will be made by the committee within 1 month from the submission of the initial complaint. In case of special circumstances, this period may be extended for no more than 2 months.

10. If the committee confirms the fact of violence, discrimination or sexual harassment, a disciplinary measure, demotion or termination of the labor agreement will be applied to the person committing the act. Nature of disciplinary measure depends on the severity and scale of the action. If the committee finds that the act carried out contains signs of a criminal offense, they are obliged to address the relevant law enforcement agencies for a response.

Chapter XI. Rules for transportation, Procurement, Reporting and Document Circulation

Article 39. Rule for Transportation

The rule for the use of organization owned vehicles by the employees shall be determined by the decision of the board of the organization.

Article 40. Procurement Rule

Rule for procurement, accounting and spending of fixed assets, inventories and services is established by the financial accounting guidelines of the organization, approved by the board of the organization.

Article 41. Rule for Document Circulation

Rule for Document Circulation (correspondence, drafting statements and decrees, documentation of the completed projects, archive management rule, etc.) is determined by the board of the organization.

Article 42. Rule of Reporting

Rule for the preparation, submission and supervision over their implementation of monthly reports is determined by the decision of the organization board.