



GYLA and EMC respond to the death of a worker employed on the construction site

Georgian Young Lawyers` Association (GYLA) and Human Rights Education and Monitoring Center (EMC) express their concern over the Nstsubidze`s 4th Plateau incident, which took place on March 14, 2019 and resulted in the death of a laborer working on the construction site, and give their sincere condolence to the family of the deceased.

In recent years, prevention of potential threats and accidents on employment sites turned into an unresolved problem. Individuals employed on overly hazardous, heavy and harmful jobs are one of the most vulnerable groups in Georgia. Despite the adoption of legislation on labor safety and the elaboration of a relevant supervision mechanism, the life and health of people employed on the hazardous workplace, face an actual everyday risk; the number of deaths and mutilations caused by workplace traumas is overly concerning (1081 people were injured and 367 died in 2011-2018 years. In 2018, the highest number of

casualties was recorded – 59 people compared to previous years).

The state is still unable to create a labor policy that would force private employers to ensure dignified labor conditions, which in turn would not put the lives and health of employees under threat.

It is complimentary that in February 2019, the Parliament of Georgia passed the modernized legislation on labor safety, according to which, the mandate of the supervisory body of labor inspection reinforced and was granted the authority of having access to the workplace without the prior approval of the court. However, calling off the amendments until September 1, 2019, running parallel to the alarming data of recent deaths and injuries triggered by workplace traumas, is unjustified. This attitude leads to a doubt that the state has not proper understanding on the scale of the issue.

Also, on the basis of amendments made to the legislation in 2018, the amount of sanction is tightened and one is fined by 30 000 GEL for breaching construction safety rules in Tbilisi. However, reinforcement of sanctions should be proportionate to the territory of other municipalities where the fine for violation amounts only to 500 GEL. The differentiation of sanctions grounded on the construction nature is also crucial.

Besides, over the years, the effective investigation of life and health infringement cases developed on the workplace remains a problem that in turn encourages the vulnerability of labor safety conditions and emphasizes the absence of preventive state policy in this regard.

GYLA and EMC call on the Prosecutor`s Office of Georgia to guarantee timely and effective investigation regarding the death of the laborer employed on the construction site, including the identification of relevant defendants.