Update: Board of Governors of Caucasus University

Resolution N1 of February 03, 2022

Labor Regulations

On the labor discipline of academic, scientific and invited staff

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Chapter I

Article 1. General Provisions

- 1. The current internal regulations (hereinafter the "Regulations") of the Caucasus University (hereinafter the "University") regulate academic, scientific and invited staff (hereinafter referred to as "Employees") labor discipline's issues in accordance with the Organic Law of Georgia "the Labor Code of Georgia" and university statute; defines mandatory rules of conduct for employees during work and rest; business trip rules; types of incentives and disciplinary sanctions; also other issues directly related to labor discipline.
- 2. The university protects the basic human rights and freedom defined by the legislation of Georgia, provides conditions free from discrimination, harassment and oppression.
- 3. The employees shall comply with the requirements of regulations.
- 4. Labor Code of Georgia regulates issues which are not administered by internal regulations.

Personal file of employees and issue of certificate

Article 2. Labor regulations

1. The employee is notified of the structure of the university, the personnel management policy, the code of conduct at the university and the present internal regulations.

- 2. There are healthy and safe working conditions established at the university.
- 3. The university administration is responsible for ensuring healthy and safe working conditions.

4. The employee, in turn, is obliged to assist the administration in maintaining safe and healthy working conditions.

5. Technical means (e-mail, telephone, etc.) could be used to introduce employees to administrative acts, orders and other information received by the administration on official matters.

Article 3. Personal file of employees and issue of certificate

- 1. Each university employee has a personal file. The regulatory procedures and content of personal file are laid down by statute of "Policy on Holding Competition for Academic, Scientific, Administrative and Invited Personnel".
- 2. In case of absence of university employee's personal file, the university shall not issue a notification of working activity at the university and reserve the right not to pay the salary until the above-mentioned problem is eliminated.
- 3. The employee is obliged to renew the personal file through the personal profile at least once a semester, and in case of changes, it has to be immediately updated.
- 4. The employer collects and processes the employees' personal data only to the extent of necessary information for employment relationship.
- 5. Caucasus University adheres to the requirements of the Georgian Data Protection Law and undertakes not to use personal data for any other purpose, or to transfer it to any third party (except in cases provided by law) and otherwise to violate the processing of personal data principles.

Article 4. Employment Contract

- 1. An appropriate type of employment contract is concluded with the employee in accordance with his / her academic position (which complies with the policy and requirements established by the Labor Code of Georgia, as well as the requirements set by the university statute).
- 2. Labor relations between an employee and an employer shall be regulated on the basis of signed agreement between the parties (university and employer), which is an integral part of the employment contract.
- 3. A contract between the parties may be changed if the academic position of the employee at the university is changed (the type of contract will be changed in accordance with academic position).
- 4. In cases prescribed by law, when performing overtime work, an additional agreement is concluded between the employer and the employee on the performance of overtime work, which determines the conditions for overtime work.
- 5. The employment contract considers all the essential terms of the contract in accordance with the Labor Code of Georgia.

Article 5. Overtime Work

1. An employee shall perform overtime work:

A) To prevent natural disasters and / or to eliminate its consequences, without any compensation;

B) To avoid an emergency situation and / or to eliminate the consequences of the accident, with appropriate compensation.

2. It is not allowed to employ people with disabilities, pregnant woman, or a woman who has newly given birth, on overtime work without their consent.

3. Overtime work is considered to be performed by the employee during the period of time exceeding the working hours specified in the employment contract. If the employment contract does not specify working hours, overtime work is considered to be the performance of work for a period of time exceeding 40 hours per week, or exceeding the working hours determined by the university.

Article 6. Termination of Employment Contract

- 1. The termination of an employment contract is possible only in accordance with the requirements of the legislation and on the basis of it, in compliance with the procedures provided by the labor legislation. Contract can be terminated by the expiration of term specified in it (if the contract is concluded for a relevant period of time); Contract can be terminated in compliance with the procedures described in Article 3 paragraph 3; and / or by any other additional conditions.
- 2. Termination of the employment contract is officially registered by an order of the President of the University, where the reasons for termination of employment are stated. At the request of the employee, he will be given a duly certified copy of the order.
- 3. The day following the last working day at the Uuniversity shall be considered as the day of dismissal of the employee;
- 4. The Human Resources Department shall provide the employee with a certificate confirming his / her work at the University within 10 (ten) working days upon such a request;
- 5. The Financial Department shall make a final settlement with the dismissed person on the basis of the notification from the Human Resources Department (in accordance with the principles established by the Labor Code);

6. The University is authorized, in addition to the terms stated in the contract, to terminate the employment contract if:

A) the employee's qualification or professional skills are irrelevant to the course he / she is teaching; B) the employee turns up drunk, under the influence of drugs or toxic substances;

C) the employee has performed work at an unprofessional level, which has resulted in costs for other employees, additional university or other expenses, and / or caused dissatisfaction among students/other lecturers, which is considered a gross violation of the obligation imposed by the employee;

D) the employee transfers (without informing administration) the financial, technical or other confidential information of the University to another third party, which was made known to him during the performance of the work, which is also considered a gross violation of the obligation imposed by the employee;

E) the employee grossly violates the rules established at the university and / or systematically misses the lectures for an unreasonable reason;

F) the employee grossly violates the obligation imposed by an individual employment contract or labor regulations, which is manifested in the performance of an employee that harms the interests of the university, damages the image of the university; Or if abuse of power takes place; Or if the employee commits an act which, as a result of the assessment of a particular fact, is deemed to be a gross breach of an obligation.

- 7. If the employee (for personal reasons) desires to terminate an employment contract, he / she is obliged to submit his / her replacement candidate, who will lead the relevant lecture course, to the university no later than two weeks before the contract termination.
- 8. The employment contract will be terminated in accordance with Labor Code of Georgia and in other cases provided by the contract. Here are the factors that bring about the termination of the contract:

- Expiration of the contract;

- Economic circumstances, technological or organizational changes that make it necessary to downsize the workforce;

- Performing the work considered by the contract;

- Written agreement of the parties;

- Leaving the university of employee's own volition on the basis of a written application, and the employer should be notified at least 1 (one) month in advance;

- The employee's unfitness for work; if the period of incapacity for work is incompatible with the performance of the workload provided by the program (which justifies the termination of the contract in the interests of both parties) contract is terminated upon the recommendation of the specific project manager and the school board;

- Violation of the obligations imposed on the employee under a employment contract or internal regulations, if any measure of disciplinary liability has been applied to the employee during the last 1 year;

- Enforcement of a court judgment or decision, which excludes the possibility of employee's job performance.

- Other objective circumstances specified by the labor legislation at the time of termination of employment contract, considering the interests of both sides, justify the termination of the contract.

- Death of an employee;

- Start of liquidation proceedings of the employer legal entity;

- The labor authority of the invited lecturer is terminated after the end of the relevant academic semester, unless he / she also performs teaching in the next semester.

Article 7. Working hours

1. The working hours of an employee is a part of the calendar time during which he / she is obliged to perform the rights and responsibilities defined for him / her by the employment contract and the present document;

2. The employee's hourly workload / performance obligations during the year / semester shall be determined by the contract and its annex concluded between the parties.

3. The consequences of non-performance of the workload are determined by the contract concluded between the employee and employer.

4. In order to ensure the security of the University, academic and invited personnel are registered for entry into the university through magnetic cards with the help of so-called "tourniquets" placed in the entrance area.

5. All employees are required to clock in and clock out their presence at the university. Their presence at work is recorded using special technical means and through online registration in the electronic database (user manual is sent to each lecturer's personal e-mail address by Human Resources Department).

6. The Human Resources Department shall organize recording working hours and the processing data obtained as a result of the recording.

Article 8. Personnel Business Trip

- 1. A business trip is a temporary performance of official duties by an employee outside the main workplace.
- 2. The decision on business trips is made by the university President.
- 3. Reimbursements for business trips' expenses are provided by Financial Department.
- 4. The employee is required to submit a signed business trip application to the Human Resources Department before going on a business trip.
- 5. The employee is obliged to submit the receipts confirming the business trip expenses to the financial department of the university within 3 days after the end of the business trip.
- 6. If the employee does not submit the calculation of business trip costs on time, the corresponding amount of business trip will be deducted from the salary.

Article 9. Time and Place of Issuance of Remuneration and Business Trip Expenses

- 1. The employee receives remuneration in accordance with the relevant type of contract concluded in accordance with his / her academic position:
 - 1.1.The salary is transferred to employee's bank account once a month- no later than the 10th of following month.
 - 1.2.Employee remuneration is paid in national currency, according to the hours actually conducted during the semester, in 4 or 5 parts. The employee will be notified about the payment schedule of each tranche before the start of a specific semester by posting the information in the Payroll

Schedule in the Caucasus University database. Reimbursement will be made through non-cash payment through the service banking institution of Caucasus University.

- 1.3. The terms and conditions of remuneration for research activity specified in the contract are determined by the agreement concluded between the parties.
- 2. The rules and deadlines for issuing business trips' expenses of the university employee are determined by the current legislation of Georgia. (Order N220 of the Minister of Finance of Georgia of April 5, 2005 "On Determining the Norms of Business Expenses Paid for an Employee".)

Chapter II

The Rule of reporting the absence from the work

Article 10. The Rule of reporting the absence from the work

1. In case of absence for reasonable excuse, the academic, scientific and invited staff of the University is obliged to notify the Dean of the relevant school or school representative (in written form) at least two days before the absence and arrange missed days restoration with the school administration.

Article 11. Days off

 Holidays enacted by the Labor Code of Georgia and days off established by the President of the University for academic purposes, which are determined by the academic calendar, shall be considered as holidays;
The employee agrees to perform work on holidays established by the Labor Code of Georgia and to rest on working days instead. Such days are set by the academic calendar.

Chapter III

Prohibitions Established at the University

Article 12. COVID 19 vaccination rule

1. In order to prevent the possible spread of the new coronavirus (COVID-19) and to create a safe life and health environment, the employee is required to get vaccinated against COVID 19. Otherwise, the employee will not be allowed to the workplace and the employment relationship with him/her will be terminated.

Article 13. The regulations and place of tobacco/ e-cigarettes consumption

1. It is not allowed to smoke / use e-cigarettes in the university building and yard. Relevant signs are placed in the building and in the vicinity of the building.

2. In case of violation of smoking rules provided in this Article (12.), administration is authorized to use the appropriate measures of liability.

3. The measure of liability considers a single fine in the amount of 100 (one hundred) GEL, and if it is repeated the amount of fine is considered to be 150 (one hundred and fifty) GEL. If the violation of the specified regulation will have a systematic nature (3 or more actions will be observed), the fine will be set at 1000 GEL. The imposition of a fine does not deprive the University of the right to impose measures of

disciplinary liability under the provisions of the Standing Commission for Academic Integrity and Discipline Protection.

Article 14. Internal University Prohibitions Related to the Learning Process

- 1. Academic, scientific and invited staff is required to keep an electronic record of student attendance at the lecture. In case of non-compliance with this requirement, the lecturer will not be reimbursed for the cost of lecture lessons / hours on which the electronic registration of student attendance is not recorded. Or other measures, specified in signed contract, will be applied.
- 2. If a technical problem hinders the possibility of conducting electronic registration of the students' attendance, the academic, scientific and invited staff shall keep records of students' attendance in a written form and submit it to the relevant school administration via e-mail.
- 3. It is obligatory to submit the grades of the midterm / final exam to the Student Services and Teaching and Learning Process Monitoring Department no later than 1 (one) week after the exam. No final payment will be made until all examinations' results are submitted; the evaluations of other activities defined by the syllabus of the course (quizzes, presentations ...) should be recorded in database by the lecturer within 7 (seven) calendar days after the relevant activity.
- 4. If the grades are not submitted or misreported before the final exam (deadline was determined in previous paragraph), the course lecturer has the right to request the correction of incorrectly submitted grades and / or the addition of grades which were not presented, no later than 2 (two) weeks after assessing the students.
- 5. The evaluation of academic activity conducted in last week of semester should be recorded in database by lecturer within 3 (three) days, but before the final exam of the relevant subject is carried out.
- 6. Lecturer/teacher is allowed to write the application on behalf of the President of the university in order to adjust or add the assessment tool. It can be done at least one week earlier before the final exam is conducted.
- 7. The issue of adding / adjusting the assessment is considered only if there is a document that confirms that the student has performed the relevant activity in compliance with the deadline set by the syllabus of the course. The Student Services and Teaching and Learning Process Monitoring Department has the right, by any means, to check the document(s) proving the fact.
- 8. The lecturer's request for correction of the assessment and / or the addition of the overlooked assessment shall not be considered if the deadlines specified in paragraphs 2-4 of this document have been violated, or if the relevant justification specified in paragraph 5 has not been substantiated.
- 9. The requirements given above do not apply to a case where it is a proven fact that the lecturer failed to make an assessment due to reasons beyond his control or there was a technical delay in the database.
- 10. Within the lecture course, the academic, scientific and invited staff shall provide additional substantively different materials for the examination; to submit a substantially different test / examination assignment (within the covered material/topics) for midterm / final examination make-up. In case of non-compliance with requirements, the University is authorized not to transfer the last

tranche of the lecturer's remuneration or other procedures specified in the employment contract will be used.

- 11. The lecturer/teacher shall submit electronically (recorded on the memory card) at least three different versions of the midterm exam and at least four different final exams to the school one week before the exam takes place.
- 12. If the exam of one and the same course is held at different times, the exam questions should be different for student groups in order to avoid copying/cheating.
- 13. Lecturer is obliged to prepare at least 60% different exam questions from the previous year's exam questions in each subsequent academic year.
- 14. The lecturer is obliged to upload the course syllabus (Georgian and English version, if necessary) electronically and make it available to students 2 (two) weeks before the learning process starts. The lecturer is entitled to make adjustments to the syllabus within 2 (two) weeks after the learning process starts. If 2 (two) weeks passes and there is a necessity of making changes in the syllabus, the lecturer is obliged to apply to the President of the University with a substantial statement;
- 15. The lecturer is obliged to leave the auditorium in a locked state during the break time between lectures, , in case of leaving the auditorium;
- 16. If none of the students appear at lecture, in case of 2 (two)-hour lecture time, the lecturer has to wait for first full one hour and 15 minutes after the beginning of the second lecture. In case of 3 (three)-hour lecture time, lecturer has to wait first hours two in full and 15 minutes after the start of the third lecture, after which he can leave the auditorium. In such case, the lecturer is considered to be conducting the relevant lecture hours. The lecturer is obliged to provide the study material missed by the students defined by the syllabus electronically.
- 17. During one academic semester a teacher/professor can miss and then shall necessarily make up not more than 2 (two) classes per group when and if he/she has a valid excuse and he/she gives advanced notice to the employer, while in the case of online/distance teaching, he/she can miss and then shall necessarily make up not more than 1 (one) class per group when and if he/she has a valid excuse and he/she gives advanced notice to the employer. In the case any teacher/professor violates the requirement, the University is entitled to apply measures prescribed by the statute of the Standing Committee of Academic Integrity and Discipline.
- 18. The lecturer is obliged to give make-up lectures and time should be arranged with (majority of) the students.
- 19. Academic staff is required to have an active email created by the University.

Article 15. Norms of Ethics and Behavior

- 1. The employee shall follow the regime, as well as the norms of ethics in relation to other staff and students of the university.
- 2. Discrimination against race, skin color, language, ethnicity and social belonging, nationality, origin, property or rank, place of residence, age, gender, sexual orientation, disability, religious, social, political or other association, including belonging to the trade/labor union, marital status, or on any other basis is impermissible.

- 3. Discrimination is the direct or indirect harassment of a person with the intent to cause harm to a his dignity and to create a frightening, hostile, humiliating, degrading or insulting environment for him, or to create conditions for a person which directly or indirectly worsen his position compared to other people in similar circumstances.
- 4. It is not going to be recognized as discriminative approach and is considered legitimate if there is a need to differentiate individuals based on the job's nature, specifics or the conditions under which it is performed, and is an appropriate and necessary mean for achieving targets.
- 5. Personnel are prohibited from:

A) Using of a mobile phone during lectures/classes, or making noise and / or otherwise disrupting the learning process;

B) Insulting verbally, or otherwise, employees and / or students, using inappropriate words. All employees are required to follow the rules of university subordination;

C) Attending the university under the influence of alcohol, drugs or toxic substances;

D) Bringing and distribution of gambling, alcohol and drugs, as well as political and religious agitation, advertising leaflets and proclamations; Making similar inscriptions on the building;

E) Stating position on behalf of the university without prior consent of the President of the university or the governing body of the university.

F) Arranging political meetings and speeches on the territory of the university;

G) Entering with firearms, gas or pellet shotguns (if a student has the right to carry a weapon, he / she is obliged to hand over the weapon to the Security Service of the university until leaving the mentioned territory).

H) Any physical (unwanted contact), verbal (sexual comments, jokes, job threats / encouragement in exchange for fulfilling a sexual request) and / or non-verbal (sexual gestures, whistling, etc.) behavior which undermine the dignity of the individual and create for him/her a frightening, degrading or offensive environment are not allowed.

I) It is prohibited to bring liquids (open cups / bottles) (coffee, carbonated beverages) (without lids) or other liquid-containing products in the university auditoriums, laboratories, libraries and places where there is soft flooring. Or committing another act that causes damage to the university building (rooms, corridors, stairs, elevator ...), pollution and / or distortion of appearance;

- 6. The legal instructions / warnings of the Human Resources Department regarding the prohibitions established at the university must be complied with;
- 7. The Human Resources Department has the right to take the necessary measures in case of violation of the established prohibitions on the University premises. Upon the request of the victim, the matter shall be considered by the University Standing Commission on Academic Integrity and Discipline and a decision shall be made, and if the action contains signs of administrative misconduct or crime, it shall be referred to the relevant structural unit for proper response.

Article 15.1. Academic Freedom

1. Academic, scientific and invited staff have academic freedom, which means they have professional freedom; Freedom of teaching and research.

2. The University does not interfere in the professional activities of the employee, unless the unprofessionalism and incompetence of the employee in relation to the course /course component to be taught has been identified.

3. Staff may freely express their views, although it is not permissible to state any position on behalf of the University.

Article 16. Dress Code for University Employees

1. University employees are required to adhere to the university's dress code: the lecturer is required to appear in moderately classic style clothing at work. The use of light-colored jeans, sports shirts and jackets, sportshoes is prohibited from Monday through Friday, and on Saturdays employees are allowed to appear in jeans and loose-fitting T-shirts / shirts at work.

Article 17. University Standards

- 1. Culture of writing in Georgian font when sending e-mail;
- 2. Necessary indication of the subject when sending an e-mail;
- 3. Indication of identifying data by e-mail;

4. In order to ensure security at the university, video cameras keep inner and outer perimeter under surveillance. For the same purpose, video control (not audio) is being carried out in the auditoriums where lectures are held. For the purposes of this article, special notification notes are posted in the areas where cameras are available.

Chapter IV

University Personnel Encouragement and Disciplinary Liability

Article 18. University Personnel Encouragement

1. The following types of incentives may be used for success in labor activities and active participation in the public life of the University, exemplary performance of official duties, and conscientious service:

- a) expressing gratitude;
- b) early removal of a previously imposed disciplinary sanction;
- c) rewarding with a one-time cash / bonus;
- d) promotion;
- e) pay raise.

2. The President of the university has the right to apply the incentive measures disposed in previous paragraph of this Article upon the submitted information by the Vice-President, the Dean of the School / Department / Head of the Service.

Article 19. Basics of Disciplinary Sanctions

1. Disciplinary sanction is one of the types of sanctions applied to an employee of the university in case of disciplinary misconduct.

2. Non-compliance or improper fulfillment of the obligations, employer's orders and rules of conduct provided in regulations shall be considered as disciplinary misconduct by the Code of Academic Integrity, employment contract and current internal regulations.

Article 20. Disciplinary Sanctions for University Staff

1. The following disciplinary sanctions provided by Standing Commission on Academic Integrity and Discipline may be applied to academic, scientific and invited personnel:

- a) written admonition;
- b) severe reprimand;
- c) withholding salary for not more than 10 (ten) working days;
- d) dismissal / termination of the employment contract;
- 2. The terms of disciplinary sanctions are determined as following:
 - Admonition 1 month

Strict reprimand - 6 months

- 3. The disciplinary penalties take into account the severity of the misconduct, the circumstances of its commission, the work performance and general behavior of the employee;
- 4. Prior to the imposition of a disciplinary sanction, the violator shall be required to provide a written explanation. Disciplinary proceedings against a person gone off on leave or on a business trip will be initiated after his / her announcement.
- 5. The meeting of the Standing Committee on Academic Integrity and Discipline Protection shall be scheduled no later than the 14th (fourteenth) working day after the entry of the materials. The disciplinary sanction is imposed no later than one month after the detection of the misconduct (the period of business trip or vacation is not included in this period);
- 6. Appropriate disciplinary sanctions / penalties may be applied for each violation of the principles of labor discipline and / or academic honesty;
- 7. Any employee of the university, a representative of the academic staff has the right to submit a statement on initiating disciplinary proceedings and convening of a commission by submitting an application to the President of the university;
- 8. Information on a disciplinary sanction imposed on an employee shall be placed in the personal file of the infringer.
- 9. The secretary of the commission shall convene the meeting of commission in accordance with the entry of materials (application, complaint / request, evidence, etc.) on the issues within the competence of the commission. The secretary shall ensure the publication of the relevant resolution assignment of the President of the university on the second working day.
- 10. The rules and conditions of disciplinary proceedings shall be determined by the statute of the Standing Commission on Academic Integrity and Discipline Protection.

- 1. Upon the recommendation of the director of the Human Resources Department, or the Dean of the School, the President of the University has the right to prematurely remove the disciplinary sanctions imposed on the employee unless he or she has committed a new misconduct and has shown to be a bona fide employee.
- 2. If the employee has not been provided with a new disciplinary measure within the time limit set for the relevant disciplinary sanction, he/she shall be deemed to have no disciplinary sanctions.
- 3. Early removal of the disciplinary sanctions shall be formalized by an order of the President of the University.
- 4. Early removal of disciplinary sanctions shall be indicated in the personal file.

Chapter V

Introduction of University Mission and Regulations

Article 22. University Mission and Regulations

When academic, scientific and invited staff enters into a relevant contract with the university, they are notified of the labor regulations and the mission of the university.

Chapter VI

Final Provisions

Article 23. Review of application/ complaint

- Any complaint / application of an employee must be written directly in the name of the President of the university, who, due to the content of the issue, instructs the relevant structural units to review the case or hands over the issue to the Standing Commission on Academic Integrity and Discipline Protection. The final decision, based on the report of the reviewers, will be made by the President of the university. The complaint / application must be reviewed and a decision made no later than 15 (fifteen) working days after its submission. The decision shall be notified to the applicant in accordance with the established procedure.
- 2. The employee is entitled to apply to the Ombudsman's Office at the university for consultation. The ombudsman advises staff on issues related to their rights and responsibilities, the rights and obligations of the university towards staff. It also ensures that the violation of the rights of the staff is investigated, that they are investigated and that the issue is addressed to the relevant authorities of the university;

Article 24. Changes in Labor Regulations

1. Any issue which is not covered by the current internal regulations shall be governed by the Labor Code of Georgia;

2. The employer is entitled to change the conditions of the internal regulations of the university or to make changes and / or additions, which are formalized by the decision of the Board of Governors and notified to the employees electronically.

Article 25. Enforcement of Regulations

1. In case of changes and / or additions to the internal regulations, it will be published by the employer on the official website of the university – <u>www.cu.edu.ge</u>.

2. The internal regulations enter into force on the basis of review and approval made by the Board of Governors of the University.