

# Final Performance Evaluation: Improving Compliance with Labor Laws in Georgia and Strengthening Workers' Organizations in Georgia

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## Acronyms

EUAA	European Union Association Agreement
GBA	Georgian Bar Association
GEA	Georgian Employers' Association
GOG	Government of Georgia
GTUC	Georgian Trade Unions Confederation
HSOJ	High School of Justice
ICLLG	Improving Compliance with Labor Laws in Georgia
ILAB	Bureau of International Labor Affairs (DOL)
ILO	International Labour Organization
LI	Labor Inspectorate
MIDPOTHLSA	Ministry of Internally Displaced Persons from the Occupied Territories, Health, Labor and Social Affairs
MOHLSA	Ministry of Health, Labor and Social Affairs
MP	Member of Parliament
MSI	Management Systems International
NGO	Non-Governmental Organization
OECD/DAC	Organization for Economic Cooperation and Development's Development Assistance Committee
OSH	Occupational Safety and Health
OTLA	Office of Trade and Labor Affairs
SC	Solidarity Center
SWOG	Strengthening Workers' Organizations in Georgia
TOR	Terms of Reference
TSPC	Tripartite Social Partnership Commission
U.S.	United States
USDOL	U.S. Department of Labor
USAID	U.S. Agency for International Development

# Executive Summary

## Evaluation Purpose

The United States Department of Labor (USDOL) has contracted Management Systems International (MSI) to undertake an evaluation of the Improved Compliance with Labor Laws in Georgia (ICLLG) and Strengthening Workers' Organizations in Georgia (SWOG) projects. Both projects are funded by USDOL, with ICLLG implemented by the International Labor Organization (ILO) and SWOG implemented by the Solidarity Center (SC).

The evaluation is intended to assess and document the achievements of the projects, identify intended and unintended effects, assess lessons learned and emerging practices and assess the likelihood of sustaining key project outputs and results. The evaluation prioritized analysis of sustainability issues over past performance, primarily because of how changing political conditions have stimulated project design adjustments over the last five years. The purpose of the multi-project evaluation is to:

1. Assess the extent to which projects achieved their objectives and identify any challenges and associated factors that impeded implementation;
2. Identify the intended and unintended effects of the projects;
3. Assess lessons learned, emerging practices and experiences from project implementation; and
4. Assess the sustainability of outcomes and outputs.

## Evaluation Questions

The following evaluation questions apply to both projects, unless otherwise indicated in the question. The evaluation questions are organized according to three categories: validity and strategic relevance of the project design; sustainability; and good practices and lessons learned.

### Validity and Strategic Relevance of the Project Design

1. Do the projects have realistic, logical and coherent designs with clearly defined outcomes, outputs and indicators? Are the theories of change still valid? Are the targets realistic?
2. To what extent are project objectives and interventions relevant to the needs and priorities of government, project beneficiaries and other local stakeholders? Are the interventions addressing the needs of beneficiaries?
3. How have the projects adapted to changing context in order to maintain relevance?

### Sustainability

1. To what extent are the projects' outcomes and interventions sustainable? To what extent has the project strengthened the capacity of implementing partners to provide services and meet the needs of the beneficiaries?

2. What is the likelihood that interventions by implementing partners could be replicated or scaled up after the projects close?
3. What sustainable outcomes and outputs should be the focus of future project(s)?

#### Good Practices and Lessons Learned

1. What are the emerging good practices and lessons learned for both projects?
2. What project activities should be the focus on future project(s)?

### Evaluation Methods

This is primarily an ex post facto performance evaluation using a mixed-methods approach for data collection. The evaluation drew on six sources of data: 1) review of documents, 2) review of quantitative performance data, 3) interviews with key informants, 4) field visits, 5) a stakeholder meeting to present and discuss preliminary findings and conclusions and 6) a post-trip debrief meeting with USDOL. Fieldwork took place between November 28 and December 17, 2018.

### Evaluation Findings and Conclusions

The following discussion of findings and conclusions does not strictly follow the evaluation questions, for purposes of narrative logic. Instead, it reorders a small number of the evaluation questions and sub-questions into themes of validity and strategic relevance of the project design; good practices and lessons learned; sustainability; and future programming.

The projects were implemented during a period when a relatively new ruling party was reviving past abolished institutions and processes, such as the Labor Inspectorate and a labor code based on international labor standards. Below are the key findings and conclusions by theme.

#### Validity and Strategic Relevance of the Project Design

The evaluation concluded that both projects had logical and coherent designs. The supply and demand nature of the overall theory of change is still valid, while the validity of the theories of change for each of the two funded projects was undercut by unrealistic expectations of key organizational partners to change. The outcomes, outputs and indicators were clearly defined, although the targets and outcome measures were not ambitious. Overall findings and conclusion related to the validity and strategic relevance of the project design were:

- The overall design and individual grant designs were logical and coherent.
- The theory of change and the projects' design suffered from potentially unrealistic expectations of change. One was the expectation that the Government of Georgia (GOG) would actively engage to strengthen capacity to enforce labor rights, for example through establishment of a labor inspectorate and the reanimation of social partner dialogue. Key elements of the GOG were markedly reluctant to engage in either activity. The other expectation was that the Georgian Trade Unions Confederation (GTUC) would be able to continue legal support and occupational safety and health (OSH) training with GTUC-paid staff after the project ended, which is not likely to be the case.

- The project targets were potentially realistic, but outcome indicators were not meaningful representatives of the project objectives
- The projects' objectives and interventions were relevant to the needs and priorities of the GOG partners, project beneficiaries and other local stakeholders. With the exception of the employers' associations, key informants among direct beneficiaries and partners explicitly stated that both projects were designed to address their needs and priorities, while implementer staff and external actors confirmed that key needs were being met.
- Both projects were able to adapt successfully to a changing context to maintain relevance and address the needs and priorities of stakeholders. Both projects were quite demand-driven, and adjusted their projects to changing conditions. Both implementers have strong networks and significant in-country history that allow them to anticipate and adapt as needed. ICLLG made significant adjustments to its assistance with standing up the Labor Inspectorate (LI), encouraging the revival of tripartite discussions and even training judges. SWOG's allowed for flexibility in its very design through provision of human resources, which was important for responding to GOG progress on labor rights and unpredictable events.

#### Good Practices and Lessons Learned

Based on the evaluation findings, five good practices or lessons learned should be taken into account in future strategic and project designs.

1. International pressure and attention is critical for continued reforms. The GOG amply demonstrated its reluctance to create the Labor Inspectorate and engage in social dialogue through the Tripartite Social Partnership Commission, but it was the ILO, the European Union Association Agreement (EUAA), and potential free trade agreements that pushed them to do so anyway.
2. Social partnership requires willingness from all parties to function well. All interviewees pointed to a zero-sum mentality shared by both the workers' and employers' representatives that prevented two-way conversation and compromise, in addition to the lack of dialogue on some looming social issues. The result has been that the official Tripartite Social Partnership Commission (TSPC) meetings are formalities, while other informal arrangements are more meaningful exercises because the dialogue dynamic is different and reform champions in Parliament and local government have stepped in.
3. Mutual benefits exist and could boost acceptance of social dialogue. The zero-sum mentality prevents the trade unions from making arguments that are meaningful to employers, and prevents employers from understanding the possibility of mutual benefits from cooperation. Two examples of mutual benefits demonstrate how all social partners could come to accept social dialogue: safer workplaces that lead to higher productivity, quality and revenue, and collective bargaining that leads to predictable budgeting and financing.
4. Labor rights protection requires trained lawyers and judges. Both lawyers and judges are much better trained in labor law and international labor standards than they were four to

five years ago, resulting in a series of legal victories in courts, although knowledge among judges and lawyers outside of Tbilisi remains limited.

5. Labor rights protection requires trained experts at sectoral unions. OSH specialists in trade unions are needed to balance enterprise safety engineers and work collaboratively with labor inspectors.

### Sustainability

This evaluation found that the projects' interventions and capacity outcomes are not fully sustainable and replicable due to beneficiaries limited will and/or resources, and lack of international support to continue reform and capacity building efforts. The following are the key findings and conclusions on sustainability:

- The LI has leadership that has been involved in strategic planning and key labor policy discussions, but an anticipated OSH law will dramatically expand the LI's scope and authority. The main concern is that the LI itself has no training capacity, so they are relying on outside organizations to give new inspectors a two-week rapid training course developed by the LI. This is a considerably shorter pipeline for qualifying inspectors than is available elsewhere in Georgia, and there are questions about quality. The next two years are critical to the success and public perception of the LI.
- Certainly, the capacity of the trained pool of lawyers and judges is sustainable, although deficits remain outside of Tbilisi. Training of lawyers could be replicated and potentially scaled up, but will require a shift in a key partner's outdated strategic approach. Similarly, training judges could also be replicated, but continued international financial support may be needed.
- The TSPC's sustainability is in serious doubt due to the GOG's apparent lack of commitment, the zero-sum approach of employers and unions, and questions of the legitimacy of the main employers and union organizations.
- The GTUC and its member sectoral unions can reproduce training on fundamental labor rights and collective bargaining, but the sustainability of OSH capacity is in doubt due to GTUC's unverifiable claim of limited budget resources.

### Future Outcomes

This evaluation found sustainable outcomes and outputs that should be part of future programming, and other activities that could be added or implemented. Some of these include:

- The LI's capacity to train new inspectors and reproduce its professional norms is critical to its success and credibility over the next two to three years.
- Labor inspectors with meaningful, credible certification of inspection qualifications.
- The capacity of lawyers and judges to handle labor rights cases should continue and even expand in several ways: Supreme Court judges; a region-based training schedule that

prioritizes judges outside of Tbilisi; OSH issues; and state-owned or quasi-state enterprises.

- The formal existence of the TSPC and its ratification effective April 2019 are positive, but it could be used to address other issues such as awareness raising on the labor rights, OSH, and the value of bargaining; and labor rights in state-owned or quasi-state enterprises.
- LI should prepare to handle anti-discrimination in the workplace once it has absorbed the anticipated expansion of OSH inspection authority. The primary form of discrimination is against women in hiring and job retention, but also against workers exercising labor rights.

## Recommendations

The evaluation team presents the following recommendations that are critical for the extension period of the two grants or important for future programming, potentially in partnership with other donors:

1. In the remaining time of ICLLG, the ILO should work closely with the LI to finalize a realistic training strategy and implementation plan, in addition to any planned organizational development activities. The anticipated OSH law will dramatically increase the LI's scope and authority, and the LI's future is in doubt without an adequate number of properly trained inspectors. In addition, the ILO should work closely with the LI to plan how it will build its capacity to handle anti-discrimination in the workplace.
2. USDOL should continue to fund training for lawyers and judges on labor laws and international labor standards, but expand in multiple ways with potential cost-sharing; this may require partnership with other donors or expansion of existing donor-funded projects.
3. USDOL and the U.S. Embassy in Georgia should coordinate with other international actors to encourage the use of the tripartite discussions. Both the EU and the ILO envision the TSPC as a primary venue for resolution of potentially difficult social issues, but the GOG appears reluctant to let it function that way.
4. SC should continue support to sectoral unions for training on labor rights, OSH and collective bargaining, either directly to the sectoral unions or through GTUC staff, to build on progress over the last five years to increase the GTUC's capacity.
5. SC should work closely with the GTUC to modernize its human resource planning and budgeting practices, to strengthen the organization's human capacity and resilience.



# Introduction

## Evaluation Purpose

The U.S. Department of Labor (USDOL) has contracted Management Systems International (MSI) to undertake an external evaluation of the Improved Compliance with Labor Laws in Georgia (ICLLG) and Strengthening Workers' Organizations in Georgia (SWOG) projects. Both projects are funded by USDOL, with ICLLG implemented by the International Labour Organization (ILO) and SWOG implemented by the Solidarity Center (SC). The evaluation is intended to assess and document the achievements of the projects, identify intended and unintended effects, assess lessons learned and emerging practices, and assess the likelihood of sustaining key project outputs and results. The evaluation team was asked to prioritize analysis of sustainability issues over past performance, primarily because of how changing political conditions have stimulated project design adjustments over the last five years.

The purpose of the multi-project evaluation is to:

1. Assess the extent to which the projects achieved their objectives, and identify any challenges and associated factors that impeded implementation;
2. Identify the intended and unintended effects of the projects;
3. Assess lessons learned, emerging practices and experiences from project implementation; and
4. Assess the sustainability of outcomes and outputs.

The scope of the evaluation will include review of materials from the projects and any secondary data sources; key informant interviews with project staff, OTLA project managers, relevant Government of Georgia (GOG) ministry officials and staff, training institute staff, judges and lawyers, trade union leadership and relevant non-governmental organization (NGO) stakeholders; group interviews with targeted beneficiaries from members of workers' organizations; and a stakeholder workshop to validate the preliminary analysis.

The primary audiences of the evaluation are USDOL, ILO, SC and local stakeholders. Both organizations intend to use the evaluation report to determine the strengths and weaknesses of their project design and implementation.

## Evaluation Questions

The following evaluation questions apply to both projects, unless otherwise indicated in the question. These questions provide the overall framework for the evaluation and enable development of the variety of data collection instruments. The evaluation questions are organized according to three categories: validity and strategic relevance of the project design; sustainability; and good practices and lessons learned. In keeping with priorities communicated by USDOL's Bureau of International Labor Affairs (ILAB) to the evaluation team in the launch meeting, which

were driven by project design adjustments made to take advantage of changing conditions and new opportunities, the team will emphasize issues of sustainability over past performance.

#### Validity and Strategic Relevance of the Project Design

1. Do the projects have realistic, logical and coherent designs with clearly defined outcomes, outputs and indicators? Are the theories of change still valid? Are the targets realistic?
2. To what extent are project objectives and interventions relevant to the needs and priorities of government, project beneficiaries and other local stakeholders? Are the interventions addressing the needs of beneficiaries?
3. How have the projects adapted to changing context in order to maintain relevance?

#### Sustainability

1. To what extent are the projects' outcomes and interventions sustainable? To what extent has the project strengthened the capacity of implementing partners to provide services and meet the needs of the beneficiaries?
2. What is the likelihood that interventions by implementing partners could be replicated or scaled up after the projects close?
3. What sustainable outcomes and outputs should be the focus of future project(s)?

#### Good Practices and Lessons Learned

1. What are the emerging good practices and lessons learned for both projects?
2. What project activities should be the focus on future project(s)?

## **Evaluation Methodology**

As this is primarily an ex post facto performance evaluation, MSI implemented a mixed-methods approach for data collection. The evaluation drew on six sources of data: 1) review of documents, 2) review of quantitative performance data, 3) interviews with key informants, 4) field visits, 5) a stakeholder meeting to present and discuss preliminary findings and conclusions and 6) a post-trip debrief meeting with USDOL. Fieldwork took place from November 28 to December 17, 2018.

The primary data sources were documents and key informant interviews, although other sources of data supplemented those, and each data source was analyzed distinctly for each evaluation question. Data collection took place before and during fieldwork.

#### Literature Review

The evaluator reviewed the following materials before data collection: project documents; concept note; previous evaluation reports; cooperative agreement, grant modifications; technical progress reports and donor comments; reports on specific project activities; training materials; trip reports, field visits, meeting notes; needs assessments and other reports; results framework/logic model;

performance monitoring plan; data-tracking tables; quantitative performance indicators; work plans and budgets; and any other relevant documents (see Annex B)

### Fieldwork

The evaluator met representatives of the ILO and SC projects at the beginning of fieldwork to discuss the purpose and logistics of the evaluation. In addition, SC assisted the evaluator to schedule interviews with key informants and any others deemed appropriate; the team provided a Google-based spreadsheet for efficient scheduling and evaluation implementation transparency. The evaluator conducted 34 individual interviews, and six group interviews with a total of 22 people; visited union workers at six sites in five locations; and attended one training workshop (see Annex C).

The evaluator interviewed some key informants separately and others in small groups, as appropriate. The evaluator worked with project staff to develop a list of criteria that was used to select a non-random sample of key informants and site visits. Interviews were conducted during fieldwork with key program stakeholders (in person, or by phone or Skype) including: the USDOL project management team, relevant ILO officials, ILO Georgia officials and project key personnel and staff, SC Georgia officials and project key personnel and staff, GOG counterparts and related agencies, relevant USG personnel in Georgia, other collaborating projects and partners, and relevant NGOs.

Group interviews were arranged for reasons of efficiency, particularly during site visits. Given the limited number of potential key informants with meaningful information about activities under these projects, the team applied purposive sampling for key informant selection.

The exact itinerary was determined based on scheduling and availability of interviewees. Meetings were scheduled in advance of the field visit by the project staff, coordinated by the designated project staff, in accordance with the evaluator's requests and consistent with the terms of reference (TOR; see Annex A). All interviews and meetings were conducted in English or translated into Georgian with the assistance of a professional interpreter provided by the implementers. The evaluator conducted interviews with beneficiaries and stakeholders without the participation of any project staff.

### Stakeholder Interviews

The stakeholder workshop had multiple objectives: 1) interpretation of findings and conclusions; 2) identification of external factors affecting implementation and alternative explanations for outcomes; and 3) further identification of recommendations for future programming. The lead evaluator held a facilitated workshop of key stakeholders at the end of fieldwork to validate and adjust the preliminary analysis.

### Data Analysis

The evaluation team applied parallel analysis to examine the evidence from data sources. For each evaluation question, the team first analyzed relevant implementer materials and secondary sources to develop preliminary findings. Second, at the end of fieldwork, the team reviewed data

to draw preliminary findings for each type of key informant before synthesizing across all types of key informants. Third, the team developed findings across the other data sources. Finally, the team drew conclusions about activities across all data sources to answer each of the three evaluation questions and their sub-questions. Actionable recommendations were derived from the conclusions and a broader understanding of Georgia's political economy.

## Ethical Considerations and Confidentiality

The evaluator observed utmost confidentiality related to sensitive information and feedback elicited during the individual and group interviews. All interviews and discussions included an informed consent form or witnessed oral agreement, and an interview did not proceed unless consent was given. Interviewees will remain anonymous unless clear permission was granted to the team to include qualitative information that would identify the respondent. All working materials were uploaded to MSI's secure server or kept on a password-protected laptop.

The evaluation complies with evaluation norms and standards and follows ethical safeguards, per the United Nations system of evaluation norms and standards as well as the Organization for Economic Cooperation and Development's Development Assistance Committee (OECD/DAC) Evaluation Quality Standards. The gender dimension was considered as a crosscutting concern throughout the evaluation methodology. The project was evaluated through the lens of a diverse range of stakeholders that participate in and are intended to benefit from the project's interventions, including men and women.

## Limitations

Several limitations and biases are common to evaluations based largely on ex post facto qualitative information, with common strategies for mitigation. One significant limitation to the data collection was that the fieldwork took place during a three-week period, so not all relevant project sites or individuals were available during that time.

- *Recall bias* can be problematic for multi-year projects. It is quite possible that key informants may not accurately remember details of particular intervention activities, and the reality of successive projects means that project beginning and end dates do not have much meaning outside USDOL or the implementer. Of course, fading or faulty memories are typically problematic for events even two years in the past and become a much larger problem over longer periods. One strategy is to use information from reports throughout the project lifetime to prod respondents' memories.
- *Response bias*: Informants may give the team positive remarks about the project because they would like to stay involved in the future, and because they think a negative evaluation could mean the end of project-related opportunities. The team has two strategies for mitigating this bias: 1) stressing to each informant that the team would maintain confidentiality and then explaining its independence from both USDOL and the projects; and 2) using questions designed to elicit specific examples to help identify response bias, as general questions allow too much leeway for general responses.

- *Selection bias*: Using contacts provided by the implementers could mean that the team hears only from people who have positive experiences. This is often a problem for activities in which the main contacts typically have a longstanding relationship with the implementer, which would be case for both the ILO and SC. The standard evaluation approach to mitigating this bias is to expand beyond implementer-provided contacts, collect multiple points of data from various types of key informants and ask questions designed to elicit specific examples.

To mitigate bias during the data collection process and ensure maximum freedom of expression for the implementing partners, stakeholders, communities and beneficiaries, implementing partner staff generally were not present during interviews. However, implementing partner staff accompanied the evaluator to make introductions whenever necessary, facilitate the evaluation process, make respondents feel comfortable and allow the evaluator to observe the interaction between the implementing partner staff and the interviewees.

## **Background and Project Description**

Georgia has faced an uncertain and occasionally tumultuous political, legal and economic context since the fall of the Soviet Union. After the violence, secession and civil wars of the 1990s, the government under former Soviet Foreign Minister Eduard Shevardnadze brought a measure of stability. However, it was also spectacularly corrupt and deeply unpopular, and a group of young politicians mobilized protests following the tainted November 2003 elections, ultimately forcing Shevardnadze to resign and new elections to be called. One of the protest leaders, Mikheil Saakashvili, was elected president and an allied party won a large majority in Parliament.

As president, Saakashvili pushed many far-reaching reforms in an attempt to spark economic growth and reduce corruption, to some significant success. Among the reforms was the dismantling of the Labor Inspectorate, the Employment Agency and the Georgia Labor Administration, along with passage of a tough new Labor Code in 2006; the former Labor Inspectorate was perceived by the private sector as highly corrupt and a tool for state punishment of political opposition. Popular dissatisfaction about closing political space and abuse of power resulted in a change of ruling party in October 2012, bringing to power the populist electoral coalition Georgian Dream headed by billionaire Bidzina Ivanishvili. Since then, the government composition has shifted multiple times as the Georgian Dream ruling party has drifted away from or toward more populist policy positions. The Government of Georgia (GOG) signed a European Union Association Agreement (EUAA) in 2014 and began work on free trade agreements with numerous trading partners. Georgia is broadly improving in democratic engagement relative to its neighbors, and the government has attempted to move toward international labor standards, but challenges remain. Chief among them is the generally stagnant state of the economy during the last six years of Georgian Dream rule, which limits the leverage of workers for improved labor rights.

Although a new 2013 Labor Code sought to strengthen workers' rights, Freedom House gave Georgia a score of 2 of 4 on the freedom of trade unions and other professional organizations, noting that these groups are generally disempowered. The EUAA and other free trade agreement

processes have pushed the GOG to engage in a wide range of reforms. Two of the most notable are the revival of labor inspection as a duty of the state and the passage of an occupational safety and health (OSH) law in 2018. The OSH law has strict limitations for the newly established Labor Inspectorate (LI): specified only industrial sectors with hard, harmful or hazardous working conditions; and allows for voluntary compliance by enterprises for advance-notice inspections. The LI was placed in the Ministry of Health, Labor and Social Affairs (MOHLSA), later renamed the Ministry for Internally Displaced Persons from the Occupied Territories, Health, Labor and Social Affairs (MIDPOTHLSA; hereafter both referred to simply as “the Ministry”).

ILAB has funded two projects to address the macro-level challenges of legal compliance and governmental capacity, as well as the micro-level challenges facing workers and worker organizations; the two projects can also be understood to enhance the capacity of workers’ organizations to demand protection of workers’ rights concurrently with the strengthening of state and national worker organizations’ capacity to supply protective processes.

#### *Improved Compliance with Labor Laws in Georgia (ICLLG) December 2013 – September 2019*

ICLLG is a five-year project awarded to the ILO in 2013. It seeks to promote effective government protection of workers’ rights, improve working conditions and increase participation of education and service workers to protect rights and improve working conditions. ICLLG activities would help resolve issues related to the Generalized System of Preferences petition, training judges and other government stakeholders in international labor standards, promoting tripartite dialogue and building workers’ organizations’ capacity to represent workers’ rights and interests. ICLLG has reacted to changing conditions and new opportunities by adjusting their project, which has received a no-cost extension until September 2019.

ICLLG has two objectives:

1. Strengthening the capacity of key GOG actors to enforce labor laws through developing strategic plans, raising awareness, building the capacity of labor inspectors, training judges and enhancing mediation, among other activities.<sup>1</sup>
2. Strengthening the effectiveness of workers’ organizations to represent workers’ rights and interests by collaborating with the Georgia Trade Union Confederation (GTUC) to develop strategic plans and enhance capacity to better integrate workers’ representatives and interests.<sup>2</sup>

#### *Strengthening Workers’ Organizations in Georgia, December 2014 – December 2018*

SWOG is a four-year project awarded to the American Center for International Labor Solidarity (also known as the Solidarity Center) in 2014 with the goal of helping the GOG bring labor laws into compliance with ILO standards and establish an effective enforcement mechanism. The project’s objectives are to: 1) improve workers’ organizations’ capacity to conduct outreach and

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<sup>1</sup> The activity to strengthen mediation was largely completed but stalled out before the end of ICLLG.

<sup>2</sup> The activity to strengthen the organizational capacity of the GTUC was dropped before the end of ICLLG, as SC was working with GTUC on similar activities already.

train members on Georgian labor law and enforcement, with a focus on occupational safety and health hazards; and 2) increase workers' organizations' effectiveness in representing workers in collective bargaining, dispute resolution, legal proceedings and tripartite consultations with the government and employers.

SWOG has three objectives:

1. Raising awareness on Georgian and international labor laws, through building trade unions' legal capacity to pursue labor rights and their knowledge of those rights.
2. Utilizing labor laws to represent workers through training of sectoral union representatives for collective bargaining and dispute resolution.
3. Workers have safer and healthier workplaces as a result of union actions, through expanding union capacity for OSH inspections.

## Findings and Conclusions

The following discussion of findings and conclusions does not strictly follow the evaluation questions, for purposes of narrative logic. Instead it reorders a small number of the evaluation questions and sub-questions into themes of validity and strategic relevance of the project design; good practices and lessons learned; sustainability; and future programming.

In addition, the evaluation team was asked to prioritize analysis of sustainability issues over past performance, primarily because of how changing political conditions have stimulated project design adjustments over the last five years.

### Validity and Strategic Relevance of the Project Design

**Question 1:** Do the projects have realistic, logical and coherent designs with clearly defined outcomes, outputs and indicators? Are the theories of change still valid? Are the targets realistic?

**The evaluation concluded that the projects, both individually and together, had logical and coherent designs. The supply and demand nature of the overall theory of change is still valid, while the validity of the theories of change for each of the two funded projects was undercut by unrealistic expectations of key organizational partners to change. The outcomes, outputs, and indicators were clearly defined, although the targets and outcome measures were not ambitious.**

*Conclusion: The overall design and individual grant designs were logical and coherent.*

All key informants, currently or formerly at the grantee organizations, understood the purpose of their projects' design and thought it made sense. Moreover, all of the key informants in prominent positions at the grantee organizations understood the supply and demand intent of the two projects. Similarly, the direct beneficiaries of each project, as well as key informants at the U.S. Embassy in Georgia, understood the supply and demand strategy.

*Conclusion: The theory of change and the projects' design suffered from potentially unrealistic expectations of change.*

Key informants of all types pointed to two areas where expectations of change by the primary actors may have been unrealistic. One was the expectation that the GOG would actively engage to strengthen capacity to enforce labor rights, such as through establishment of a labor inspectorate and the reanimation of social partner dialogue. The other expectation was that the GTUC would be able to continue legal support and OSH training with GTUC-paid staff after the project ended.<sup>3</sup>

ICLLG worked with GOG actors primarily in two ways: with the Ministry to re-establish a labor inspectorate; and with relevant ministries for the TSPC, again primarily the Ministry. While the Ministry was a reform champion, other dynamics within the GOG presented obstacles. As mentioned in interviews of relevant implementers, ICLLG beneficiaries and external key informants, opposition within the GOG to both ICLLG activities was significant, primarily from the Ministry of Economy and Sustainable Development, which was concerned about undercutting Georgia's competitive advantages of inexpensive labor and low levels of corruption for business-state interactions. The EUAA of 2014 and potential free trade agreements pushed the GOG to engage more in activities like those of ICLLG, but even then progress on both activities took place after the October 2016 parliamentary elections only under pressure from policy reformers among new members of Parliament (MPs). Since then, the TSPC has met annually and even developed a quarterly meeting calendar for 2018, but leadership on the government side of the tripartite now comprises Ministry representatives.

Moreover, meaningful discussions on labor issues takes place in the more informal "tripartite-plus," which adds in NGOs, an expanded set of employers' associations and elected officials. Relevant key informants also asserted that important social issues, such as pensions and minimum wage and detailed discussions of pension reform, were deliberately kept out of TSPC and even "tripartite-plus" discussions by the GOG. The limited utility of the TSPC should not necessarily be viewed as a failure, given that it was abolished during the Saakashvili years.<sup>4</sup>

The GTUC has benefited from donor-funded staff for approximately 10 years. During the Solidarity Center's USAID-funded project that ended before the USDOL-funded SWOG project began, two lawyers were provided to GTUC to pursue legal cases to fight violations of labor rights. The GTUC subsequently hired one of those two lawyers full-time. Under the SWOG project, four additional lawyers and four OSH specialists have been provided to GTUC, but at the time of this evaluation, there was no intention to hire any of them full-time once SWOG ended, per key informants at SWOG and the GTUC.

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<sup>3</sup> Two other areas that were inactive by the end of ICLLG included mediation, which was viewed by all relevant key informants besides mediators as inappropriate for the Georgian context (moreover, most mediators were experienced in courtroom mediation, not workplace mediation); and GTUC organizational strengthening, which had largely been the province of SC in addition to the Friedrich Ebert Foundation.

<sup>4</sup> The 2017 ratification of ILO Convention 144 on tripartite consultations, effective April 2019, is a significant achievement.



*Conclusion: The project targets were potentially realistic, but outcome indicators were not meaningful representatives of the project objectives*

The January 2016 midterm evaluation of ICLLG (pp.17-29) thoroughly analyzes the performance monitoring plan and data collection system, highlighting many weaknesses and flaws. The subsequent plan contained fewer indicators, but the small number of outcome indicators did not capture enough of the main activities of the project to be useful in evaluation. The targets were also not justified, so could not be judged as realistic or not.

The SWOG performance monitoring plan was more extensive and had an adequate number of outcome indicators for each objective. Few of those indicators were meaningful in the sense of capturing actual change or improvement, and few had realistic targets in part because of the unpredictable nature of some activities.

**Question 2:** To what extent are project objectives and interventions relevant to the needs and priorities of government, project beneficiaries and other local stakeholders? Are the interventions addressing the needs of beneficiaries?

**The evaluation concluded that the projects' objectives and interventions were relevant to the needs and priorities of the GOG partners, project beneficiaries and other local stakeholders.**

Almost all key informants among direct beneficiaries and partners explicitly stated that both projects were designed to address their needs and priorities, while implementer staff and external actors confirmed that key needs were being met.

Training for lawyers and judges on labor rights based on the 2013 Labor Code and international standards was meeting high demand in both parts of the legal community. Of particular note, the ICLLG's book on labor law incorporated translations of international standards and relevant Georgian court cases, and the "bench bar" brought together lawyers and judges for seminars on key labor law topics. The legal profession in Georgia has strengthened over the last 10 years; now, private lawyers are required to meet Georgian Bar Association (GBA) requirements for continuing legal education. The ILO partnered with the GBA to offer these courses as taught by ILO experts or consultants, and now a considerable number of lawyers have trained in Georgian labor law and international standards. Similarly, the ILO partnered with the High School of Justice, which is the judicial training institute for Georgia, to offer training on labor law to Basic Court and Appellate Court judges; seven trainings under ICLLG have reached more than 100 judges.

The establishment of the Labor Inspectorate (LI) within the Ministry was necessary to conform to requirements under the EUAA,<sup>5</sup> so that component of ICLLG was meeting an identifiable GOG need. Even then, however, high-level key informants reported mixed political will within the GOG to take action, as with the TSPC. When the LI was established in 2015 with a limited OSH mandate, ICLLG was prepared to train new inspectors, help develop internal procedures,

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<sup>5</sup> The Labor Inspectorate's mandate under the OSH law does not fully adhere to ILO Convention 81 on labor inspection, and it is not clear that the new bill on OSH under consideration in Parliament would bring the LI fully into compliance.

establish a hotline for reporting OSH violations and more. The ILO continued working with Ministry and LI leadership to develop inspection plans, training modules and other strategic planning.

The GTUC clearly needed and prioritized legal assistance for protection of labor rights and working closely with sectoral unions and their local unions for training on the new Labor Code; lawyers for GTUC have won a series of cases involving significant compensation for workers. Once the LI was established, SWOG moved forward to provide needed training to the GTUC on OSH issues, including providing paid OSH specialists to work with and train sectoral and local unions. GTUC and sectoral union key informants held mixed opinions about the TSPC: it was positive to have a process for addressing important policy issues with the GOG and employers, but the TSPC was suspected of being undercut by direct deal-making between the GOG and influential businesses.

Key informants from the employers' side did not view any of the ICLLG activities as necessary or a priority, however. The LI garnered deep suspicion as a potential vector for corruption and state abuse of power, with the past Shevardnadze government experience specifically referenced. The TSPC was viewed similarly as a means for the GOG and the unions to claim tripartite discussions while secretly collaborating against employers; it should be noted that the GOG ratified ILO Convention 144 on tripartite consultations in November 2017 when GEA was the only employers' association to support doing so.

**Question 3:** How have the projects adapted to changing context in order to maintain relevance?

**The evaluation concluded that both projects were able to adapt successfully to changing context to maintain relevance and address the needs and priorities of stakeholders. This is due in part to existing working relationships with key actors and a growing network of labor rights supporters in political positions.**

Both projects were quite demand-driven and adjusted their projects to changing conditions. Both implementers have strong networks and significant in-country history that allow them to anticipate and adapt as needed. ICLLG made significant adjustments to its assistance with standing up the LI, encouraging the revival of tripartite discussions and even training judges. SWOG's allowed for flexibility in its very design through provision of human resources, which was important for responding to GOG progress on labor rights and unpredictable events.

The ILO was deeply involved in all Ministry discussions of the establishment and operationalization of the LI, and was able to respond as needed. For example, when the LI's authority was limited to OSH only in the 2015 decree establishing the unit, ICLLG collaborated with the LI on OSH training modules and then implemented a training-of-trainers model. Following popular outrage at a mine disaster, ICLLG and the LI were key actors in discussions with MPs about an OSH law, which would solidify the rationale for the LI's existence and be a stepping stone to inclusion in organic law.

The effort to revive the TSPC was almost entirely adaptation to changing context. Building on past engagement with the GOG, the ILO began strategic planning discussions with the Ministry on

various aspects of implementing labor rights in the wake of the 2013 Labor Code, as well as engaging with the Public Defender's Human Rights Secretariat to include labor rights in its biannual action plan. When the GOG refreshed the TSPC in mid-2015 with a slightly different composition of members, ICLLG was able to take advantage of the opportunity to offer strategic planning, capacity building and study visits. As the TSPC began addressing its action items, such as drafting an OSH law based on EU directives, the ILO was able to provide expert consultants. Following the 2016 parliamentary elections, progress in the TSPC shifted increasingly to working groups and the "tripartite-plus" discussions. Popular outrage at the Tkibuli mine accident in May 2017 provided new political incentives to move forward on the stalled OSH law, spearheaded by new MPs with the extensive assistance of ICLLG; the law passed in early 2018 and came into effect in September. The same MPs are now pushing ahead with more expansive OSH legislation designed to meet the EUAA's September 2019 deadline and ease incorporation into organic law.

The Tbilisi Municipal Council has also become active in labor inspection in recent years through its own limited legal mandate to ensure health and safety, driven as much by construction accidents in Georgia's largest city as by professional connections to the LI by key elected officials, i.e., reform champions. With ILO assistance, the LI and the Tbilisi Municipal Council have drafted a memorandum of understanding to resolve overlapping competencies, a problem identified by the private sector that will ultimately need to be resolved in legislation.

ICLLG also worked closely with the HSOJ to deepen the quality of its judicial training on labor rights. One example of adaptation is how they utilized a Supreme Court judge as a trainer, taking advantage of her knowledge and interest in labor rights issues.

SWOG was also able to adapt to changing context through the human resources it provided to the GTUC. The four lawyers were on call to respond to any new cases of labor rights violations, but in addition were assigned to geographic areas to better serve GTUC sectoral unions and their local unions. Similarly, the four OSH specialists were assigned to both specific sectors and geographic areas to align with priorities outlined in the LI's OSH inspection plans, and worked closely with GTUC sectoral unions to provide training-of-trainers on OSH issues. One important way the SWOG was flexible was in reacting to the harassment and persecution of members of the Georgian Railway Workers New Trade Union, in which significant legal assistance was provided on an urgent basis.

## Good Practices and Lessons Learned

**Question 7:** What are the emerging good practices and lessons learned for both projects?

**The evaluation concludes that there are five good practices or lessons learned that should be taken into account in future strategic and project designs.**

*Conclusion: International pressure and attention is critical for continued reforms.*

As noted by all key informants among direct beneficiaries and external experts, the ILO occupies an important role in the promotion of labor rights simply because it is United Nations agency charged with promoting international labor standards. As such, it can bring attention to high-level

policymakers in the GOG and Parliament, in addition to using its convening authority to bring together workers' and employers' representatives. At the same time, the GOG desire for free trade with the European Union (and ultimately the U.S. and Canada) puts a reform road map on the agenda that can only be followed with international assistance. The GOG amply demonstrated its reluctance to create the LI and engage in social dialogue through the TSPC, but it was the ILO and the EUAA that pushed them to do so anyway.

*Conclusion: Social partnership requires willingness from all parties to function well.*

Key informants among the implementers, beneficiaries and external experts all asserted that one or more sides of the tripartite did not engage in discussions willingly or in good faith. Although key informants did not agree on the problematic side(s), they all noted that this limited the potential benefit of the TSPC. All pointed to a zero-sum mentality shared by both the workers' and the employers' representatives, preventing two-way conversation and compromise. The employers' side believes that they have no influence because the GOG backs the unions, pointing to the 2013 Labor Code, the LI and the OSH Law; the workers' side believes that the private sector has multiple secret paths of influence directly to the GOG, pointing to the need for sustained international pressure to achieve even limited gains on workplace safety and the lack of discussion by the TSPC of social pension reform and minimum wage legislation; and key informants not in GOG positions believe that the GOG is uninterested in social dialogue, pointing to the lack of discussion on key social issues and the absence of key GOG actors. GOG key informants did not answer this question directly, instead listing looming social issues such as the minimum wage, pension reform and anti-discrimination legislation that the TSPC had not addressed. The result has been that the official TSPC meetings are formalities, with flexible working groups and the "tripartite-plus" as more meaningful exercises because the mixture of participants, political power, and incentives are different. An additional result was that reform champions in Parliament were able to shift the locus of action to the legislative branch for some policy issues.

*Conclusion: Mutual benefits exist and could boost acceptance of social dialogue.*

Two examples of mutual benefits demonstrate how all social partners could come to accept social dialogue: safer workplaces and collective bargaining. First, key informants among the Ministry, LI, Solidarity Center, the GTUC, sectoral unions, and local unions all specifically mentioned the value of safer workplaces for workers, but key informants from the employers' side only discussed OSH in terms of additional cost and the potential for corruption. However, a field visit demonstrated that there are benefits to the employers' side that could help expand consensus and boost social dialogue. In one industrial site, the key informant pointed out that his safer workplace had meant fewer work stoppages due to accidents, higher productivity because of better maintenance of machinery and higher quality of production because of more attention to processes. In short, the employer could generate more revenue through higher quantities of higher-quality products.

***"We increased  
production and kept our  
high quality"***

**- Local union leader**

Second, key informants from the Rustavi Municipal Council and private enterprises stated clearly that having an agreement with workers made their finances easier and more predictable.<sup>6</sup> One key informant from the Municipal Council pointed out that having a multi-year agreement with public transport workers meant that the financial projections for project-based budgeting were predictable and reliable. Similarly, the directors for private transport enterprises stated that their agreement with drivers provided the predictability needed to meet banks' lending criteria and thereby grow their businesses.

*Conclusion: Labor rights protection requires trained lawyers and judges.*

Both lawyers and judges are much better trained in labor law and international labor standards than they were four to five years ago, according to the direct experience of implementer staff, relevant direct beneficiary personnel and external experts. This development has occurred during a period in which the Georgian legal community more broadly was becoming more professional. Currently, five judges who sit on the Tbilisi Basic Court have the formal sub-specialty of labor law, in addition to Appellate Court justices, and more than 100 private lawyers capable of handling labor violation cases. The result has been a series of legal victories in Tbilisi courts. Key informants pointed to a lack of knowledge among judges and lawyers outside of Tbilisi, which in part drives the need for GTUC legal assistance.<sup>7</sup>

Continuing legal education for lawyers and judges is nothing new in legal systems; a bar association is responsible for the former, and typically a judicial training institute for the latter. However, ICLLG was the first project in which the ILO engaged in training of judges on international labor standards along with host country legislation and court cases, and the HSOJ and the judges were unanimous about the high quality and efficacy of the training.

*Conclusion: Labor rights protection requires trained experts at sectoral unions.*

The sectoral union and local union key informants highly valued the OSH training from the SWOG-funded OSH specialists or the sectoral union trainers. The value of this training goes beyond worker safety, though: enterprises will have safety engineers to accompany labor inspectors, and the unions need to have their own trained OSH specialist there as a balance to the enterprises and potential collaborative counterpart to the labor inspector.

## Sustainability

**Questions 4 and 5:** To what extent are projects' outcomes and interventions sustainable? To what extent has the project strengthened the capacity of implementing partners to provide services and meet the needs of the beneficiaries? What is the likelihood that interventions by implementing partners could be replicated or scaled up after the projects closes?

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<sup>6</sup> Rustavi is one of two programs budgeting pilot municipalities in a USAID-funded project.

<sup>7</sup> Judges outside Tbilisi are almost all magistrate judges who hear all types of cases, and sub-specialties do not play a role in case assignment.

**The evaluation concluded that interventions and capacity outcomes are not fully sustainable and replicable due to beneficiaries' limited will and/or resources, and international support is still needed to continue reform and capacity building efforts.**

Activities under both projects face uncertain futures once the projects close, but not uniformly.

According to Ministry, LI, and implementer key informants, the LI is prepared to continue with a set of planned actions in the near future, among them doubling the number of inspectors to 80, providing training to new inspectors, and preparing to become an autonomous or independent agency. The Ministry and the LI anticipate adequate budget resources in the near future, for the LI especially if they separate from the Ministry. The LI has leadership that has been involved in strategic planning and key labor policy discussions, with ILO assistance.

However, according to all relevant key informants, the new OSH law currently in Parliament calls for expanding the LI's mandate for inspections to include all sectors of the economy; moreover, inspections are to be unannounced. This is a significant expansion of the LI's competence, and Ministry and LI leadership reported that the planned 80 inspectors should be able to handle this.

***"Frankly speaking, we don't have the capacity to do it ourselves."***

**- Ministry official**

Their main concern was that the LI itself had no training capacity, so they were relying on a strategy of contracting with external training organizations to give new inspectors a two-week rapid training course developed by the LI. This is a considerably shorter pipeline for qualifying inspectors than is available elsewhere in Georgia: there are university programs in labor relations or engineering that could produce qualified applicants, but those programs take up to two years, as does the MCC-funded vocational program implemented by the Georgian Institute of Public Affairs based on European vocational training standards. This strategy is not only at odds with LI key informants' professed concern for credible and recognizable qualifications of labor inspectors, but relevant key informants outside the Ministry and the LI expressed strong skepticism that a two-week training program would be adequate. All relevant key informants agreed that the next two years of expanded inspection authority would be critical to the success and public perception of the LI.

ICLLG's training of lawyers in partnership with the GBA could be replicated and potentially scaled-up. There have been multiple iterations of training on international labor standards and Georgian labor law, and Georgian lawyers have been leading that training. The GBA reported high demand for the workshops, as well. The GBA also reported that they would only be able to include these trainings if the costs were paid by an outside organization; note that the GBA's policy is not to charge participants for training workshops because it wants to make continuing legal education as widely available as possible. Per key informants in the legal community, this policy dates back before the start of ICLLG, when the GBA was a small and under-resourced organizations, and before CLE was required for bar membership. GBA now has considerable financial resources and CLE is mandated for all lawyers. The practice in other countries has been to shift to at least nominal fees for high-demand topics, which effectively subsidizes the other training courses.



USAID's Promoting Rule of Law in Georgia project is reportedly pushing the GBA to shift to this practice, too.

ICLLG's training of judges in partnership with the HSOJ could also be replicated. There have been multiple iterations of trainings given by well-respected judges and other experts. The HSOJ reported high demand for the trainings, too. Similar to the GBA, the HSOJ reported that outside organizations would need to pay for the training in order to ensure that it would be included in their annual plan: the HSOJ only holds training on weekends upon instructions from the Supreme Court because of large case backlogs for judges, which in effect reduces the availability of HSOJ facilities and staff to organize and implement training. Although legal key informants said that the vast majority of backlogged cases are due to micro-finance disputes that may be sent through new special courts, it is not clear when that may happen.

Certainly, the capacity of lawyers and judges is sustainable. There is now a substantial pool of lawyers with adequate training in labor law, and sufficient judges in Tbilisi. In fact, external expert key informants asserted that workers experiencing labor code violations in the Tbilisi area no longer need to go to the unions for legal assistance. There is a geographic scaling-up obstacle that remains, in that lawyers and particularly magistrate judges outside Tbilisi find it difficult and expensive to attend Tbilisi-based trainings, according to all relevant legal community key informants.

The TSPC's sustainability is in serious doubt for numerous reasons, in the opinion of key informants among the implementers, direct beneficiaries and external experts. First, the GOG's lack of commitment was noted by all of the non-GOG key informants, with the pointed examples of how all of the other GOG seats were eventually given over to the Ministry and how social pension reform was legislated without any involvement by social partners. Second, as noted, both the workers' and employers' representatives bring a zero-sum, non-constructive approach to discussions at the TSPC (and "tripartite-plus"). There are areas of potential mutual benefit, for example safer workplaces, but the employers' associations and private enterprises do not seem to be aware of the possibilities. Third, there are serious questions of legitimacy: as was clear from the employers' associations' websites and key informant interviews, the GEA has been the ILO's officially recognized employers' representative for almost 20 years, but its large membership size is belied by the large percentage made up of small and medium enterprises, as opposed to other business associations that represent fewer but larger companies with far more employees; the GTUC, for its part, is indeed viewed as the legitimate representative of workers' interests, but as noted by workers rights experts, NGO leaders, and employers' associations its lack of financial transparency is quite noticeable in comparison to NGOs, the employers' associations, and the GOG.

The GTUC and its sectoral unions can reproduce training on fundamental labor rights and collective bargaining, per implementer and union key informants.<sup>8</sup> The extent to which the sectoral unions can reach out to their local unions depends on the sectoral union's financial situation and

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<sup>8</sup> During the life of SWOG, approximately 5,000 union members were trained on labor rights, bargaining and OSH; roughly 75 percent men and 25 percent women, reflecting the underlying gender makeup of relevant sectoral unions.

resource priorities, but the GTUC is capable of providing assistance as needed. The sustainability of OSH capacity is very much in doubt, primarily because the four OSH specialists are funded by SWOG, and neither GTUC or implementer key informants reported an intention to hire any of them once SWOG ended. The OSH specialists did provide training-of-trainers for sectoral union leadership, but key informants from only three sectoral unions reported maintaining OSH capacity within the sectoral union; note that this was likely due to the existing limited authority of the LI, and only the Agricultural Workers Trade Union maintained capacity despite the sector's absence from LI purview. It is not clear that the GTUC and at least some of the sectoral unions cannot afford in-house OSH specialists, but the absence of any public documents on financing and budgets prevents drawing conclusions.

## Future Programming

**Questions 6 and 8:** What sustainable outcomes and outputs should be the focus of future project(s)? What project activities should be the focus on future project(s)?

**The evaluation concludes that sustainable outcomes and outputs should be part of future programming, and other activities could be added or implemented.**

As noted in the above conclusions to other evaluation questions, several outcomes and outputs are sustainable and should continue to be addressed in future programming, according to key informants:

- The LI's capacity to train new inspectors and reproduce its professional norms is critical to its success and credibility over the next two to three years.
- Labor inspectors with meaningful, credible certification of inspection qualifications. This is true not just for new inspectors, but also on advanced topics for more experienced inspectors. LI leadership expressed its desire to institutionalize policies for inspectors to specialize in certain sectors as a way to retain talent.
- The capacity of lawyers and judges to handle labor rights cases should continue and even expand in several ways. First, the Supreme Court needs deep training on focused topics, such as how to choose between reinstatement and compensation in illegal termination cases or how to calculate a reasonable compensation level. Second, the provision of training for judges outside of Tbilisi should be designed to meet the needs and logistical obstacles of those judges: magistrate judges are Basic Court judges, but in some regions they need more training on OSH issues, plus these judges have little time to travel to conference venues in places like Borjomi. Third, expansion of the LI's authority anticipated in the forthcoming OSH law was expected by labor law key informants to generate challenges in the courts by enterprises. Finally, neither judges nor lawyers understand how to apply existing labor legislation in the context of state-owned enterprises or public corporations. For example, Georgia Post and Georgia Railways are limited liability corporations with shares 100 percent owned by the state, and it is not clear to the legal community how to apply the Labor Code, the OSH Law, administrative law, the Public Corporations Act and the Public Servants Act.



- The formal existence of the TSPC is positive, but it could be used to address other issues. First, labor rights problems with state-owned enterprises and public corporations is a long-running problem that may burst into massive social unrest and economic dislocation when and if privatization moves forward as required by the EUAA. Second, awareness of labor rights, OSH, and the value of bargaining should be strengthened and expanded, including for employers. The GTUC and sectoral unions have capacity to train workers on labor rights, collective bargaining and, to a lesser extent, OSH, but this capacity is limited by reliance on donor-funded human resources. Employers have inadequate understanding of the 2013 Labor Code, the OSH Law, and the value of bargaining, which generates unrest and dissatisfaction at enterprises, but the employers' associations themselves have not been willing to engage in educational activities.
- The LI needs to be prepared to be responsible not just for an increased OSH mandate, but also for anti-discrimination in the workplace. Many key informants also mentioned the need to address workplace discrimination against women, union members, or ethnic minorities in hiring and job retention. The LI and Ministry key informants all mentioned the desire to include anti-discrimination in the authority of the LI; note that the ILO's Convention 81 on labor inspection covers labor rights and labor relations. However, as relevant key informants from the legal community and external experts argued, two major obstacles stand in the way of that taking place in the near future. First, new legislation would need to address anti-discrimination in the workplace more broadly, but that was highly unlikely given the ruling party's internal division about such legislation, the main opposition party would oppose it, and neither party wanted to tackle this contentious policy issue before the 2020 parliamentary elections. Second, the next two years for the LI would be a period of tremendous change and importance, and all expressed disbelief that the LI would be able to add anti-discrimination to its core competencies anytime soon.

## Recommendations

**The evaluation team presents the following recommendations that are critical for the extension period of the two grants or important for future programming, potentially in partnership with other donors:**

1. In the remaining time of ICLLG, the ILO should work closely with the LI to finalize a realistic training strategy and implementation plan, in addition to any planned organizational development activities. One important aspect of inspection training is that the LI, employers' associations and unions stated a strong desire for inspectors with meaningful, credible certifications as labor inspectors. At the same time, however, a draft OSH law may come into effect in September 2019 that expand the LI's authority to include all sectors and allow for unannounced visits and meaningful sanctions, which is a dramatic increase in the LI's competence in the near future. All key informants agreed that the next two years are absolutely critical for the future success and credibility of the LI. In addition, work with the LI to build its capacity to handle anti-discrimination in the workplace, once it is able to fulfill its expanded role in OSH inspections.

2. USDOL should continue funding for training for lawyers and judges on labor laws and international labor standards, but expand in multiple ways and look for cost-sharing opportunities; this may require partnership with other donors or expansion of existing projects funded by other donors. As noted in the previous section, training should not just continue, but should be expanded to include specialized training for Supreme Court judges, who have different information needs from Basic or Appellate Court judges. Training should also include more outreach beyond Tbilisi, especially for judges; most Basic Courts outside Tbilisi have judges that are generalists. Further, both lawyers and judges need to have more training on OSH issues, especially if the new OSH law will become part of organic law. Finally, both judges and lawyers need training on legal issues arising from labor disputes in state-owned enterprises or public corporations.
3. USDOL and the U.S. Embassy in Georgia should coordinate with other international actors to encourage the use of the tripartite discussions. Both the EU and the ILO envision the TSPC as a primary venue for resolution of potentially difficult social issues, but the GOG appears reluctant to let it function that way. Two issues could be brought to the TSPC or at least the “tripartite-plus,” including the future privatization and modernization of Georgia Post and Georgia Railways, which would engender considerable social unrest and economic dislocation; and awareness-raising for employers’ associations and enterprises on the 2013 Labor Code, the OSH law and the value of collective bargaining.
4. SC should continue support to sectoral unions for training on labor rights, OSH and collective bargaining, either directly to the sectoral unions or through GTUC staff, to build on progress over the last five years building the capacity of the GTUC.
5. SC should work closely with the GTUC to modernize its human resource planning and budgeting practices to prepare the organization’s human capacity to be stronger and more resilient.

## **Annex A: Evaluation Terms of Reference (TOR)**

*An Independent Multi-Project Evaluation of Improved Compliance with Labor Laws in Georgia and Strengthening Workers' Organizations in Georgia*

The U.S. Department of Labor (USDOL) has contracted Management Systems International (MSI) to undertake an external evaluation of the *Improved Compliance with Labor Laws in Georgia* (ICLLG) and *Strengthening Workers' Organizations in Georgia* (SWOG) projects. Both projects are funded by USDOL, with ICLLG implemented by the International Labour Organization (ILO) and SWOG implemented by the Solidarity Center (SC). The evaluation is intended to assess and document the achievements of the respective projects, identify intended and unintended effects, assess lessons learned and emerging practices, and assess the likelihood of sustaining key project outputs and results. The evaluation team has been asked to prioritize analysis of sustainability issues over past performance, primarily because of how changing political conditions have stimulated project design adjustments over the last five years.

The following Terms of Reference (TOR) serves as the framework and guidelines for the evaluation. It is organized according to the following sections.

1. Background of the Projects
2. Purpose, Scope, and Audience
3. Evaluation Questions
4. Evaluation Management and Support
5. Evaluation Methodology
6. Evaluation Milestones and Timeline
7. Deliverables and Deliverable Schedule
8. Evaluation Report

### **1. Background of the Projects**

Georgia has faced an uncertain and occasionally tumultuous political, legal and economic context since the fall of the Soviet Union. Transparency International ranks Georgia 46th in its global Corruption Perceptions Index, with the country's score declining between 2016 and 2017. Georgia's parliament passed a Labor Code in 2006 that was widely viewed as weakening labor protections through its dismantling of the Labor Inspectorate and the Employment Agency and dissolution of the Georgia Labor Administration. Although a new 2013 Labor Code sought to strengthen workers' rights, Freedom House gave Georgia a score of two out of four on the freedom of trade unions and other professional organizations, noting that these groups are generally disempowered. Georgia is generally improving in democratic engagement relative to many of its neighbors, and the government has attempted to move toward international labor standards, but challenges remain. ILAB has funded two projects to address the macro-level challenges of legal compliance and governmental capacity, as well as the micro-level challenges facing workers and worker organizations; the two projects can also be understood as enhancing the capacity of workers' organizations to demand protection of workers' rights at the same time

that the capacity of state and national workers' organizations to supply protective processes is strengthened.

### **Improved Compliance with Labor Laws in Georgia (ICLLG) December 2013 – December 2018**

ICCLG is a five-year project awarded to the ILO in 2013. It seeks to promote effective government protection of workers' rights, improve working conditions and increase participation of education and service workers to protect rights and improve working conditions. ICCLG is assisting the Government of Georgia (GOG) with resolving a Generalized System of Preferences petition, training judges and other government stakeholders in international labor standards, promoting tripartite dialogue, and building worker organization capacity in representing workers' rights and interests. ICCLG has reacted to changing conditions and new opportunities by adjusting their project.

ICLLG has two objectives:

1. Strengthening the capacity of key GOG actors to enforce labor laws, through developing strategic plans, raising awareness, building the capacity of labor inspectors, training judges, and enhancing mediation, among other activities.
2. Strengthening the effectiveness of workers' organizations to represent workers' rights and interests, by working with the Georgia Trade Union Confederation (GTUC) to develop strategic plans and enhance capacity to integrate workers' representatives and interests better.

### **Strengthening Workers' Organizations in Georgia, December 2014 – December 2018**

SWOG is a four-year project awarded to the American Center for International Labor Solidarity (ACILS, also known as the Solidarity Center) in 2014 with the goal of helping the GOG bring labor laws into compliance with ILO standards and establish an effective enforcement mechanism. The project's objectives are to: 1) improve workers' organizations' capacity to conduct outreach and train members on Georgian labor law and enforcement, with a focus on occupational safety and health hazards; and 2) increase worker organizations' effectiveness in representing workers in collective bargaining, dispute resolution, legal proceedings, and tripartite consultations with the government and employers.

## **2. Purpose, Scope, and Audience of Evaluation**

The **purpose** of the multi-project evaluation is to:

1. Assess the extent to which the projects achieved their objectives, and identify any challenges and associated factors that impeded implementation;
2. Identify the intended and unintended effects of the projects;
3. Assess lessons learned, emerging practices, and experiences from project implementation;
4. Recommend sustainable outcomes and outputs for follow-on project(s).

The **scope** of the evaluation will include review of materials from the projects and any secondary data sources; key informant interviews with project staff, OTLA project managers, relevant GOG ministry officials and staff, training institute staff, judges and lawyers, trade union leadership, and relevant NGO stakeholders; group interviews with targeted beneficiaries from members of workers' organizations; and a stakeholder workshop to validate the preliminary analysis.

The primary **audiences** of the evaluation are USDOL, ILO, SC, and local stakeholders. All three organizations intend to use the evaluation report to determine the strengths and weaknesses of the project design and implementation.

### **3. Evaluation Questions**

The following evaluation questions apply to both projects unless otherwise indicated in the question. These questions will be used to provide the overall framework for the evaluation and to develop the variety of data collection instruments. The evaluation questions are organized according to three categories: validity and strategic relevance of the project design; sustainability, and good practices and lessons learned. In keeping with priorities communicated by ILAB to the evaluation team in the launch meeting, which were driven by project design adjustments made to take advantage of changing conditions and new opportunities, the team will emphasize issues of sustainability over past performance.

#### ***Validity and Strategic Relevance of the Project Design:***

1. Do the projects have realistic, logical, and coherent designs with clearly defined outcomes, outputs and indicators? Are the theories of change still valid? Are the targets realistic?
2. To what extent are project objectives and interventions relevant to the needs and priorities of government, project beneficiaries, and other local stakeholders? Are the interventions addressing the needs of beneficiaries?
3. How have the projects adapted to changing context in order to maintain relevance?

#### ***Sustainability***

1. To what extent are the projects' outcomes and interventions sustainable? To what extent has the project strengthened the capacity of implementing partners to provide services and meet the needs of the beneficiaries?
2. What is the likelihood that interventions by implementing partners could be replicated or scaled up after the projects close?
3. What sustainable outcomes and outputs should be the focus of future project(s)?

#### ***Good Practices and Lessons Learned***

1. What are the emerging good practices and lessons learned for both projects?
2. What project activities should be the focus on future project(s)?

## **4. Evaluation Management and Support**

### **Senior Lead Evaluator**

Dr. Green brings nearly 20 years of academic and applied research experience in international development for USAID, State, USDA, US Institute for Peace, and private foundations. He has been the team lead for more than 20 projects and senior technical design/advisor for more than two dozen other projects, using a wide variety of quantitative and qualitative designs. Dr. Green is an expert in civil society engagement in policy processes, labor rights, governance, and rule of law issues. He has deep experience with initiatives to strengthen workers' rights, improve union capacity to serve members and engage government, and the role of international standards. Dr. Green has previously worked in Georgia on civil society, labor rights, political parties, parliament, and other democracy, rights, and governance topics, in addition to teaching post-Soviet politics and foreign policy. He has a Ph.D. in Political Science from the University of Illinois at Urbana-Champaign.

### **Project Manager**

Gwynne Zodrow is a Technical Manager on the Strategy, Evaluation and Analysis team at MSI with expertise in evaluations and monitoring systems, strategic planning, and results-based management. Ms. Zodrow has been involved in various evaluations and research studies from design to final report with experience in both qualitative and quantitative design and analysis methods. Ms. Zodrow has worked on multiple evaluations, including working with the World Cocoa Foundation to measure the impact of their multi-country farmer livelihood program in West Africa. Ms. Zodrow has worked on evaluations of child labor, livelihoods, youth and OVC in West Africa and Kenya. Ms. Zodrow holds a Masters of Global Public Health from George Washington University and her Bachelor of Science in Sociology from Portland State University.

### **Roles and Responsibilities**

The evaluator is responsible for conducting the independent final evaluation according to the terms of reference (TOR). He will:

- Review project background documents
- Receive, respond to or incorporate input from ILO, SC and USDOL on the initial TOR draft
- Finalize and submit the TOR and share (concurrently) with ILO, SC and USDOL
- Review the evaluation questions and refine the questions, as necessary
- Develop and implement an evaluation methodology (i.e., surveys, conduct interviews, review documents) to answer the evaluation questions
- Conduct planning meetings/calls, as necessary, with USDOL, ILO, and SC
- Decide composition of field visit interviews to ensure objectivity of the evaluation
- Present verbally preliminary findings and recommendations to project field staff and other stakeholders as determined in consultation with USDOL, ILO, and SC
- Prepare an initial draft of the evaluation report and share with USDOL, ILO, and SC
- Prepare and submit a one-page summary of evaluation conclusions and recommendations
- Prepare and submit final report

USDOL is responsible for:

- Reviewing proposed evaluator
- Providing project background documents to the evaluator (responsibility is shared with ILO and SC)
- Providing input to the draft TOR
- Obtaining country clearance
- Briefing ILO and SC on upcoming visit and work with them to ensure coordination and preparation for evaluator
- Participating in the pre- and post-trip debriefing, and interviews as requested
- Reviewing and providing comments of the draft evaluation report and one-page summary
- Approving the final draft of the evaluation report
- Including USDOL-evaluation contract COR on all communication with evaluator

ILO and SC are responsible for:

- Providing project background materials to the evaluator as requested
- Reviewing the TOR; providing input, as necessary, directly to the evaluator and agreeing on final draft
- Preparing a list of recommended interviewees
- Scheduling meetings for field visit and coordinating all logistical arrangements, including provision of a professional interpreter and local transportation to meetings and interviews
- Reviewing and providing comments on the draft evaluation reports
- Organizing, financing, and participating in the stakeholder debrief
- Including USDOL program office on all written communication with evaluator

## 5. Evaluation Methodology

As this is primarily an *ex post facto* performance evaluation, MSI will implement a mixed-methods approach for data collection. The evaluation shall draw on six sources of data: 1) review of documents, 2) review of quantitative performance data, 3) interviews with key informants, 4) field visits (as relevant), 5) a stakeholder meeting to present and discuss preliminary findings and conclusions, and 6) a post-trip debrief meeting with USDOL.

The team will produce an evidence matrix and draft interview protocols after feedback on this TOR from USDOL, ILO, and SC.

**Data Sources:** The primary data sources will be document and key informant interviews, although other sources of data will supplement those, and each data source will be analyzed distinctly for each evaluation question. Data collection will take place before and during fieldwork.

**Document Review:** The evaluator will review the following documents before conducting any interviews or trips in the region.

- Project documents
- Concept notes

- Previous evaluation reports
- Cooperative Agreements (CA), Grant Modifications
- Technical Progress Reports (TPRs), financial reports, and donor comments
- Reports on specific project activities
- Training materials
- Trip reports, field visits, meetings, needs assessments and other reports
- Results Frameworks/Logic Models, PMPs, Data Tracking Tables and quantitative performance indicators
- Work plans and budgets
- Any other relevant documents

Interviews with key informants: Interviews are to be conducted during field work with key program stakeholders (in person, or by phone or Skype) including but not limited to:

- USDOL project management team
- Relevant ILO officials in Geneva and SC staff in Washington, DC
- ILO Georgia officials and project key personnel and staff
- SC Georgia officials and project key personnel and staff
- Government counterparts and related agencies
- Relevant USG personnel in Georgia
- Other collaborating projects and partners, as appropriate

Group interviews may be arranged for reasons of efficiency, particularly during site visits. Given the limited number of potential key informants with meaningful information about activities under these projects, the team will apply purposive sampling for key informant selection.

**Table 1: Evidence Matrix** (see accompanying Excel file)

Stakeholder workshop: The stakeholder workshop will have multiple objectives: interpretation of findings and conclusions; identification of external factors affecting implementation and alternative explanations for outcomes; and identification of recommendations for future programming. The lead evaluator will hold a full-day facilitated workshop of key stakeholders toward the end of fieldwork to validate and adjust the preliminary analysis.

Post-Trip Debriefing: Upon return from Georgia, the evaluator will provide a post-trip debrief to relevant USDOL staff to share initial findings and conclusions, and to seek any clarifying guidance needed to prepare the draft evaluation report. The debrief presentation will include information on implementation of the evaluation methodology and limitations.

**Fieldwork in Georgia:** The evaluator will meet the project directors and project teams at the beginning of fieldwork to discuss the purpose and logistics of the evaluation. In addition, the project team will assist the evaluator to schedule interviews with the key informants listed above and any others deemed appropriate; the team will provide a process and tools for efficient scheduling.



The evaluator will interview some key informants separately and others in small groups, as appropriate. The evaluator will work with project staff to develop a list of criteria that will be used to select a non-random sample of key informants and site visits. Interviews with all relevant ILO and SC representatives outside Georgia will be conducted by Skype as time allows during the fieldwork. The list of key informants will be maintained on a Google Drive-based spreadsheet with full details, and will be available to USDOL, SC, and ILO personnel upon invitation only.

The exact itinerary will be determined based on scheduling and availability of interviewees. Meetings will be scheduled in advance of the field visit by the project staff, coordinated by the designated project staff, in accordance with the evaluator's requests and consistent with these terms of reference. All interviews and meetings will be conducted in English or translated into Georgian with the assistance of a professional interpreter provided by the implementers. The evaluator must conduct interviews with beneficiaries and stakeholders without the participation of any project staff.

**Data Analysis:** Based on the description of the project, the possible purposes, and estimated timeframe for fieldwork as noted in the solicitation, MSI originally proposed using a contribution analysis approach for each evaluation question area. Contribution analysis is a good tool for understanding change in a complex environment with multiple partners and a confluence of external actors and events that can affect program outcomes; results, risks, and assessed contribution are traced over time as guided by the theory of change. When project designs have significantly changed, then this analytical method is difficult to apply. Moreover, questions of sustainability do not lend themselves well to this method, as those issues are prospective and contribution analysis is retrospective.

The evaluation team will instead apply parallel analysis to examine the evidence from data sources. For each evaluation question, the team will first analyze relevant implementer materials and secondary sources to develop preliminary findings. Second, at the end of field work, the team will review data to draw preliminary findings for each type of key informant before synthesizing across all types of key informants. Third, the team will develop finding across the other data sources. Finally, the team will draw conclusions about activities across all data sources to answer each of the three evaluation questions and their sub-questions. Actionable recommendations will be derived from the conclusions and a broader understanding of Georgia's political economy.

**Limitations and Biases:** This is not a formal impact evaluation. Findings for the evaluation will be based on information collected from background documents and in interviews with stakeholders, project staff, and beneficiaries. The accuracy of the evaluation findings will be determined by the integrity of information provided to the evaluator from these sources and the ability of the latter to triangulate this information.

There are several limitations and biases that are common to evaluations based largely on *ex post facto* qualitative information, and common strategies for mitigation. One significant limitation is that data collection in the field takes place during a three-week period, and so the team will not have data from all relevant project sites or individuals.

- *Recall bias* can be problematic for multi-year projects. It is quite possible that key informants may not accurately remember details of particular intervention activities, and the reality of successive projects means that project beginning and end dates do not have much meaning outside USDOL or the implementer. Of course, fading or faulty memories are typically problematic for events even two years in the past and become a much larger problem over longer periods of time. One strategy is to use information from reports throughout the project lifetime to prod memories.
- *Response bias*: Informants may give the team positive remarks about the project because they would like to stay involved in the future, and because they think that a negative evaluation could mean the end of project-related opportunities. The team has two strategies for mitigating this bias: 1) stressing for each informant that the team would maintain confidentiality and then explaining its independence from both USDOL and the projects; and 2) using questions designed to elicit specific examples to help identify response bias, as general questions allow too much leeway for general responses.
- *Selection bias*: Using contacts provided by the implementers could mean that the team hears only from people who have positive experiences. This is often a problem for activities in which the main contacts typically have a longstanding relationship with the implementer, which would be the case for both the ILO and SC. The standard evaluation approach to mitigating this bias is to expand beyond implementer-provided contacts, collect multiple points of data from different types of key informants, and ask questions designed to elicit specific examples. This may prove difficult given the niche nature of these projects.

To mitigate bias during the data collection process and ensure a maximum freedom of expression of the implementing partners, stakeholders, communities, and beneficiaries, implementing partner staff will generally not be present during interviews. However, implementing partner staff may accompany the evaluator to make introductions whenever necessary, to facilitate the evaluation process, make respondents feel comfortable, and to allow the evaluator to observe the interaction between the implementing partner staff and the interviewees.

**Quality control:** MSI will exercise quality control over data collection, analysis, and evaluation management through our standard processes. MSI and USDOL have already launched the evaluation, and the team has had its own internal team planning meeting.

*Management meetings:* At key points in time, in-person or virtual check-in meetings will be held with the COR and ILAB project manager(s) to ensure satisfaction with the progress of the evaluations and completion of tasks consistent with the TOR. We will also use these discussions to identify any challenges and obstacles as well as offer solutions for addressing them.

*Internal debriefs:* MSI will use regular internal review sessions to analyze work results and determine additional actions as required. Internal debriefs also allow us to discern lessons learned and suggest changes to improve implementation of future evaluations.

*Technical reviews:* MSI will complete technical reviews of products before drafts are submitted to ILAB to include relevant input from project manager and editor. All technical reviews are based on MSI standards and checklists to ensure that the evaluation designs and reports are

methodologically sound, rigorous and linked to the agreed evaluation questions in the TOR. The technical reviews will ensure that the reports have answered all the evaluation questions, followed the agreed outline for the reports and produced clear findings based on analysis of quantitative and qualitative data that supports the conclusions and recommendations.

*Ethical Considerations:* The evaluator will observe utmost confidentiality related to sensitive information and feedback elicited during the individual and group interviews. All interviews and discussions will include an informed consent form, and an interview will not proceed unless consent is given. Interviewees will remain anonymous unless clear permission is granted to the team to include qualitative information that will identify the respondent. All working materials will be uploaded to MSI’s secure server or kept on a password-protected laptop.

The evaluation will comply with evaluation norms, standards and follow ethical safeguards, such as the United Nations system of evaluation norm and standards as well as to the OECD/DAC Evaluation Quality Standards. The gender dimension will be considered as a cross-cutting concern throughout the evaluation methodology. The project will be evaluated through the lens of a diverse range of stakeholders that participate in and are intended to benefit from the projects’ interventions including men and women.

## 6. Evaluation Milestones and Timeline

	Oct		November				December				January				February				
Week	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
Evaluation Launch	◆																		
Document Review and Fieldwork Planning			X	X	X														
TOR Drafting and Finalization			X	◆	X	◆													
Fieldwork						X	X	X	X										
Stakeholder Meeting									◆										
ILAB Debrief										◆									
Initial Draft Report									X	X	X	X	◆						
Draft Report Analysis and Writing														◆					
One-Page Summary														◆					
Report Comments Received														◆					
Finalization of Report																X	X	◆	

## 7. Deliverables and Deliverable Schedule

\* These dates depend on when USDOL, ILO, and SC provide comments to evaluator

Activity	Date	Products/Comments
Evaluation Launch	23 October	
Prepare and submit draft TOR	9 November	Draft TOR
Revise and submit final TOR	26 November	Final TOR
Document review, methodology, data collection instruments	23 October – 26 November (based on receipt of materials)	Final evaluation questions, Methodology section, Instruments
Evaluator logistics and briefing call with USDOL, ILO, and SC	TBD	Logistics arranged
Fieldwork in Georgia	28 November – 14 December	Preliminary findings presentation
Stakeholder Meeting	17 December	Power Point presentation slides
USDOL debrief	28 December	Revised presentation, debrief notes
Analysis and report writing	19 December – 16 January	
Send initial draft report for 48-hour turnaround	16 January	Initial Draft Report
Send first draft report (incl. Executive Summary) for 10-day review	22 January	Draft Report
One-page summary draft	29 January	One-page summary draft
Revise and send final report, one-page summary	*27 February	Final Report, One-Page Summary

## 8. Evaluation Report

The evaluator will complete a draft report of the evaluation following the outline below and will share it with USDOL, ILO, and SC for two-week period (ten business days) to provide comments on the draft evaluation report. The evaluator will produce a revised evaluation report incorporating feedback from USDOL, ILO, and SC where appropriate and provide a final version within three weeks (15 business days) of having received final comments. The final version of the report will follow the format below (page lengths by section illustrative only) and be no more than 30 pages in length, excluding the annexes:

### Report

1. Title page (1)
2. Table of Contents and Lists (tables, graphs, etc.) (1)
3. Acronyms (1)

4. Executive Summary (3-4)
5. Background and Project Description (1)
6. Purpose of Evaluation (1)
7. Evaluation Methodology (2)
8. Findings and Conclusions (15)
9. This section will be organized around the three key issues outlined above:
  - a. Validity and Strategic Relevance of the Project Design
  - b. Sustainability
  - c. Good Practices and Lessons Learned
10. Recommendations (2)
11. Annexes
  - Terms of reference
  - Strategic framework
  - Project PMP and data tables
  - List of meetings and interviews
  - Any other relevant documents

## Annex B: List of Documents Reviewed

1. Carmen LLC Flour Mill and Agricultural Workers' Trade Union (2016) Gori Flour Mill Mediation Agreement (unofficial English Translation)
2. Government of Georgia (2013). Labour Code of Georgia (unofficial English translation)
3. Government of Georgia (2018). Law on Labour Safety (unofficial English translation)
4. Government of Georgia (2013). Resolution #258 On Approval of the Regulation of Tripartite Social Partnership Commission (unofficial English translation)
5. Government of Georgia (2018). Law of Georgia on Occupational Health and Safety (unofficial English translation)
6. HSOJ (2018). Statistics on labour law training for judges 2009-18
7. Human Rights Education and Monitoring Center, Article 42, Georgian Young Lawyers' Association, Transparency International-Georgia; and Georgian Trade Union Confederation (2016). Joint Statement of NGOs and Professional Unions on Labour Inspection
8. ICLLG (2014). LI Assessment and Roadmap
9. ICCLG (2014). Performance Monitoring Plan and Results Framework
10. ICLLG (2016). Georgia Revised Framework (PowerPoint)
11. ICCLG (2014, 2015, 2016, 2017, 2018). Georgia USDOL Workplan
12. ICLLG (2016). Progress Assessment of the Labour Inspection System in the Republic of Georgia
13. ICLLG (2017). Draft Law of Georgia on State Labour Inspection
14. ICLLG (2017). Explanatory Note on Draft Law of Georgia on State Labour Inspection
15. ICCLG (2017). Sustainability Plan
16. ICLLG (multiple years, different periodicities). Data Tracking Forms:
  - FY15SA1; FY15SA2; FY17Q1; FY17Q2; FY18SA1; FY18Q4
17. ICLLG (multiple years, semi-annuals). Technical Assistance Progress Reports:
  - FY1414SA1; FY14SA2; FY15SA1; FY15SA2
18. ICLLG (multiple years, quarters). Technical Assistance Status Reports:
  - FY14Q3; FY15Q2; FY15Q4; FY16Q4; FY17Q2; FY17Q4; FY18Q2
19. ICLLG and GBA (2018). Agenda for Training Course on International Labour Standards and Georgian Labour Code
20. O'Brien and Associates International (2016). Independent Mid-Term Evaluation of Improved Compliance with Labor Laws in Georgia
21. Rustavi Municipality Mayor and Transport and Road Building Workers Trade Union (2016) Memorandum of Cooperation
22. Solidarity Center (2017). Labor Relations Issues in the Republic of Georgia
23. SWOG (2015). Georgia USDOL Workplan
24. SWOG (2015). Performance Monitoring Plan and Logic Model

25. SWOG (multiple years, different periodicities). Data Tracking Forms:
  - FY15SA2; FY16Q2; FY16Q3; FY16Q4; FY17Q1; FY17Q2; FY17Q3; FY17Q4; FY18Q1; FY18Q2; FY18Q3
26. SWOG (multiple years, different periodicities). Technical Assistance Progress Reports:
  - FY15Q2; FY15Q3; FY15Q4; FY15SA2; FY16Q1; FY17SA2; FY18SA1; FY18SA2
27. SWOG (multiple years, different periodicities). Technical Assistance Status Reports:
  - FY15Q3; FY15SA2; FY16Q3; FY17Q1; FY17SA1; FY17Q3; FY17Q4; FY18Q1; FY18Q3
28. Tripartite Social Partnership Commission (2016). TSPC Strategic Plan 2016-2017
29. USDOL (2014). Notice of Award of Cooperative Agreement to the American Center for International Labor Solidarity
30. Zakaria Shvelidze (2014). Assessment of Georgian Legislative Framework on Enforcement of Labour Rights and Occupational Safety and Health Regulation

## **Annex C: List of People Interviewed**

This page has been left intentionally blank in accordance with Federal Information Security Management Act (FISMA) of 2002, Public Law 107-347.



## **Annex D: Stakeholder Workshop**

### **Agenda**

- **Information about the Evaluation**
  - Evaluation Questions, Implementation
- **Presentation and Discussion of Conclusions**
  - Validity and Strategic Relevance of Project Design
    - (Conclusions)
  - Good Practices and Lessons Learned
    - (Conclusions)
  - Sustainability
    - (Conclusions)
  - Future Outcomes
    - (Conclusions)
- **Questions, Discussion**