

# PUBLIC SERVICE INTERNSHIPS TO BE QUALIFIED AS WORK EXPERIENCE

The Parliament of Georgia is considering [amendments](#) to the Labor Code and the Law on Public Service.

The legislative initiative introduces internship as a new legal status and qualifies time spent as an intern as work experience.

## DRAFT LAW

**Draft Law Initiator, Author:** parliamentary faction Georgian Dream - For Strong Georgia  
**Legislative Initiative:** Law on Public Service and the Labor Code of Georgia

## ESSENCE OF THE DRAFT LAW

The draft law aims to define the status of an intern / trainee on the labor market as an equal participant of labor relations, ensuring in this way that the rights of interns / trainees are protected by legislative mechanisms.

According to the draft law:

- The Labor Code shall define the rights of interns / trainees.
- The period of internship shall be qualified as work experience; regulations on issuing internship certificates are also being introduced.
- The Law on Public Service shall define the general concept of internship and related regulations, such as the period and procedures of internship to be determined by specific public institutions. Internship may be paid.

## EXISTING REGULATIONS AND PROPOSED AMENDMENTS

### 1. GENERAL CONCEPT OF INTERNSHIP<sup>1</sup>

EXISTING PROVISION	PROPOSED AMENDMENT
Not defined.	A general concept of intership is being introduced. An employed intern is a natural person who works for an employer under a labor agreement signed in accordance with this Code, for the purpose of raising qualification, gaining experience and/or professional development.

### 2. INTERNSHIP CERTIFICATE

EXISTING PROVISION	PROPOSED AMENDMENT
Not regulated.	The internship certificate shall be issued by the Bureau in accordance with information contained in the Human Resources Management System of the Public Service.

### 3. INTERNSHIP PROCEDURE AND REMUNERATION

EXISTING PROVISION	PROPOSED AMENDMENT
Not regulated.	Internship shall have a specific duration, which, together with the procedure, shall be determined by the state agency or institution running the internship. Internship can be paid.

### 4. INTERNSHIP AND WORK EXPERIENCE

EXISTING PROVISION	PROPOSED AMENDMENT
Internships are not considered work experience. <sup>2</sup>	Internship (paid and unpaid) shall be qualified as work experience.

### 5. DURATION OF INTERNSHIP IN THE PRIVATE SECTOR

EXISTING PROVISION	PROPOSED AMENDMENT
No limit.	A labor contract may be signed with a paid or unpaid intern for no more than 6 months. Following the expiration of this term, the employer may conclude a new contract of the same term limit.

### 6. DURATION OF INTERNSHIP IN THE PUBLIC SERVICE

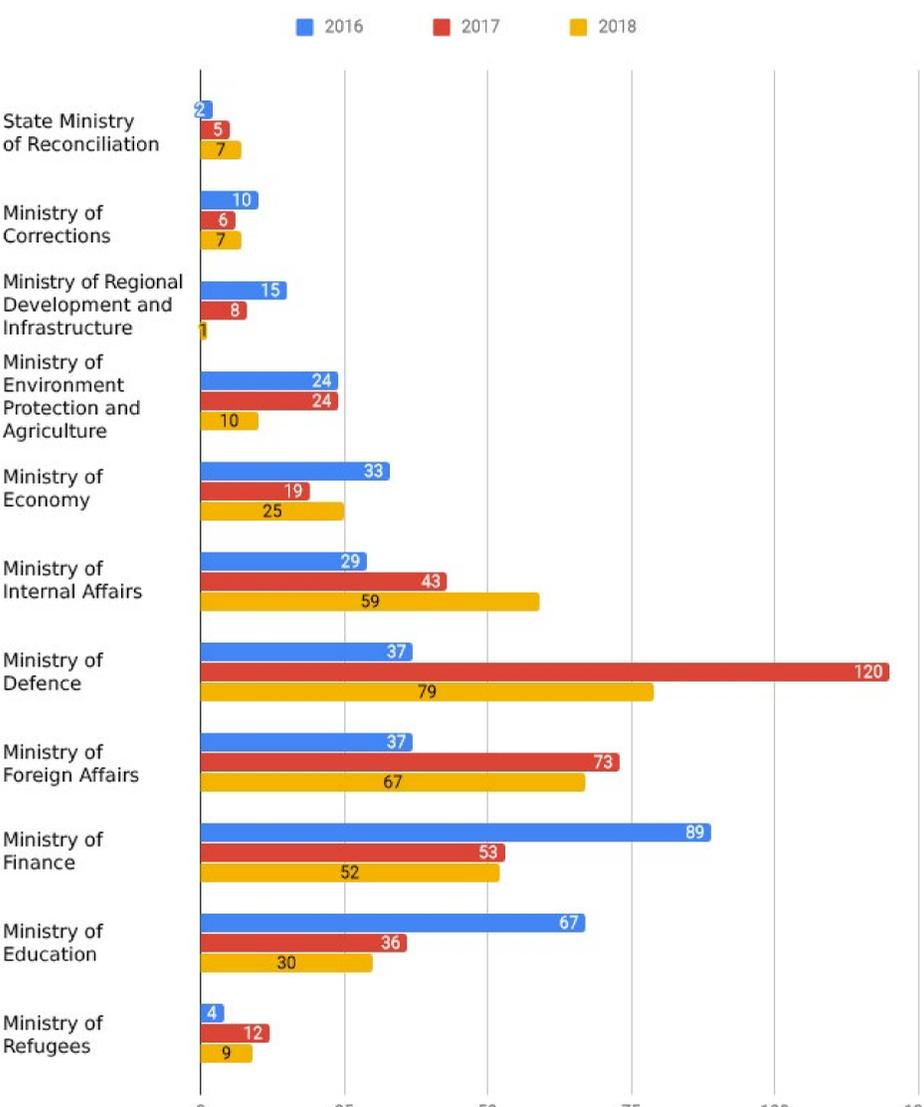
EXISTING PROVISION	PROPOSED AMENDMENT
No such provision.	The term of internship in public service shall not exceed one year. After the expiration of this term, the person may compete for an internship in the same or other institution.

## ASSESSMENT / RECOMMENDATIONS

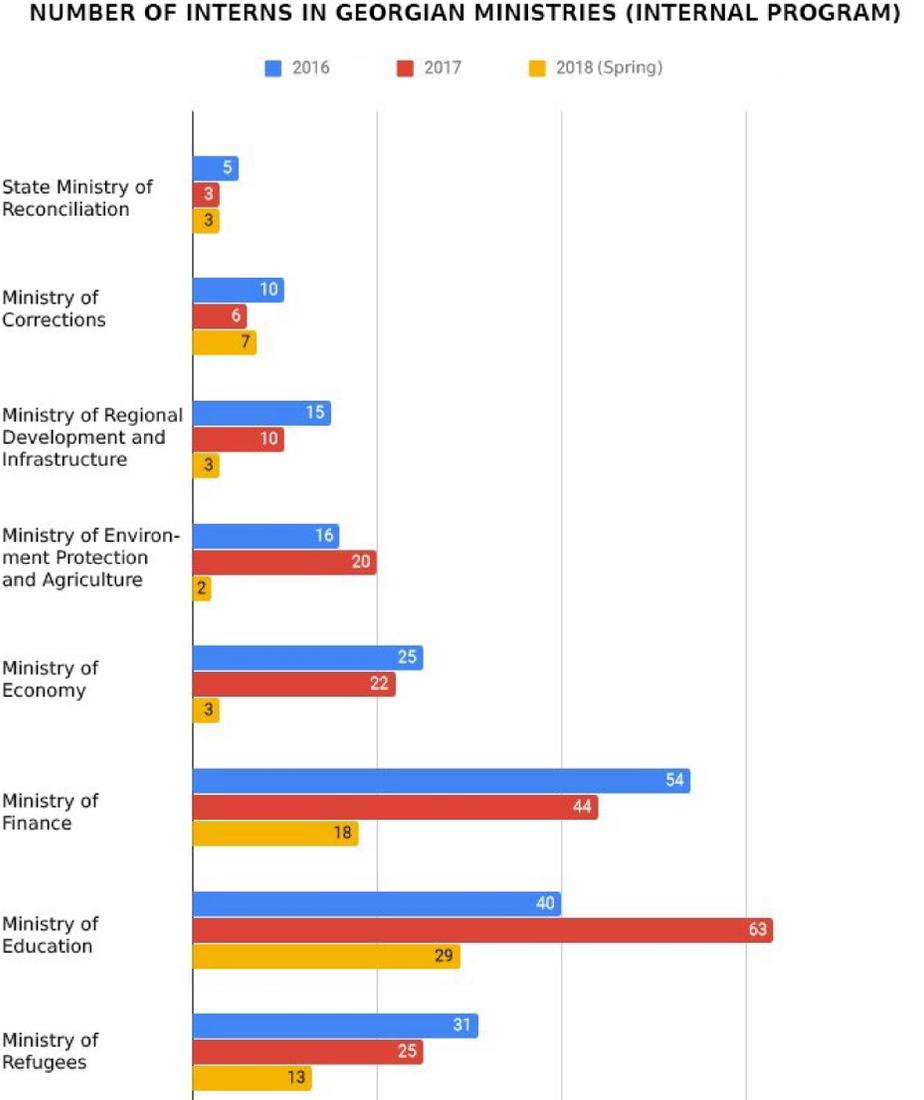
Transparency International Georgia welcomes the decision to define the general legal concept and basis of an internship, however, we believe that the proposed amendments do not respond to existing challenges in this area. To meet these challenges, a discussion must be launched on creating a uniform standard for internship that will attract students and graduates and increase their access to employment in the public service.

According to the existing system, public service internships are offered through the Government Program of Coordinated Internship run by the Civil Service Bureau (twice a year, in fall and in spring) and through internal internship programs run by individual public institutions. Transparency International Georgia requested relevant data from the Civil Service Bureau and all ministries.<sup>3</sup>

### NUMBER OF INTERNS IN GEORGIAN MINISTRIES (INTERNAL PROGRAM)



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It is beyond doubt that the internship system is in need of reform, however, amending the law to simply qualify the period as work experience is not enough to fix the system. While the Government Internship Program sets a 10% intern quota for public institutions, resources are often insufficient to ensure that this quota is fulfilled. As a result, the internship system often remains a formality. **The process of acquiring professional skills and practical experience in public institutions must be oriented towards quality and not the quantity of interns.**

The existing internship system and the proposed amendments have the following problems:

1. The existing government internship program grants internships on a first-come first served basis to whoever fills out an online form without any involvement of public institutions that end up hosting the interns. This system fails to ensure competitiveness and qualification of selected interns. The proposed amendments do not specify whether the government program is being abolished or integrated with internal programs. **Clearing up this issue is important to avoid duplication of internship programs.**
2. If internship is to be qualified as work experience, **the procedures and criteria for internships must be improved, including by making them stricter, and made public.** Intern selection must be carried out through open competitions to minimize risks of corruption and nepotism. Both the Civil Service Bureau and the relevant public institution must be part of the competition process.
3. According to the draft law, the Law on Remuneration in Public Institutions (which enters into force from January 1, 2019) shall not apply to internships in the public service. According to this law, **internship will not be paid in the public service**, which will prevent the development of already successful internship programs (e.g., the Prosecutor's Office and the Constitutional Court).
4. The duration of internship must not exceed one year in the same institution. Setting an upper limit on duration would increase competition, access to internships and prevent nepotism.

We believe that systematic research is needed in order to identify problems and make relevant changes. This process must engage representatives of human resources departments of public institutions, who have direct contact with internship programs and can best identify existing problems.

1 According to the Labor Code of Georgia

2 Private sector employers may use internship certificates as confirmation of work experience.

3 The Ministry of Justice refused to disclose this information