

Novelties in regulation of overtime and part-time work in Russia

June 21, 2017

Dear Colleagues,

New Law No. 125-FZ amending regulation of overtime and part-time work was signed by the Russian President on June 18, 2017 (hereinafter – the “Law”). The Law will come into force on June 29, 2017.

We highlight below the most important novelties introduced by the Law.

Part-time work

The parties of labour relations may now agree on any length and frequency of an employee’s working hours. This means that part-time work may include both an incomplete working day (shift) and incomplete working week including split working day. No such opportunity existed before - it was possible to choose either incomplete working day or incomplete working week.

Employers must provide the following categories of employees with part-time work upon their requests:

- pregnant women;
- one of the parents (guardian, trustee) with a child under the age of 14 (disabled child under the age of 18);
- primary caretaker of a sick member of the family;
- person bringing up children under the age of 14 without mother (disabled child under the age of 18);
- women on childcare leave until a child reaches the age of 3.

The Law grants the right to request any mix of incomplete working day and incomplete working week to the above categories of employees while they are in the relevant status. The employer cannot refuse in establishing the part-time working regime requested by the above categories of employees.

Restrictions regarding establishing open-ended working day

The Law restricts establishing open-ended working day for employees working part-time. According to the Law open-ended working day may be established for employees working part-time only if the employee works not less than 8 hours per day. The Law makes impossible establishing open-ended working day for employees working part time less than 8 hours per day. This restriction does not cover employees working full time.

Employers are released from the obligation to provide some categories of employees with break for rest and meals

The employers have now the right to deprive the employees from the break for rest and meal in the following cases:

- When the employee's duration of daily work (shift) does not exceed 4 hours; and
- When the relevant rule is incorporated in the Internal labor regulations or employment contract with the respective employee.

Rules on remuneration of overtime work on weekends and public holidays

The Law clarifies that overtime work performed on weekends or public holidays and compensated as work performed on weekends or public holidays by increased payment or by provision of another day of rest shall not be additionally compensated as overtime work.

The Law also specifies that an employee, working on weekend or public holiday part of the working day (shift), shall be remunerated pro rata to the time actually worked on these days and not for a full working day(s).

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Kind regards,

ALRUD Law Firm

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