

Newsletter

Mandatory pre-trial procedure for appealing the acts of State Labour Inspectorates

May 31, 2021

Dear Ladies and Gentlemen,

On April 28th, 2021, Government Resolution No. 663 (hereinafter – “**Resolution**”), establishing a **mandatory pre-trial procedure for appealing the orders and other acts** of the Federal Service for Labour and Employment (Rostrud) and its territorial bodies – State Labour Inspectorates (hereinafter – “**SLI**”) was adopted.

This means that a company will not be able to file a claim against an SLI inspector’s act immediately in the court, bypassing the head of the SLI. However, citizens who are not engaged in entrepreneurial activities will be able to go directly to the court.

Changes **will come into force on July 1st, 2021**.

Currently, a company can, at its discretion, choose where to appeal against an SLI’s act: to the court, to the head of the SLI, or to both authorities simultaneously.

The Resolution clarifies the provisions of the Federal Law “On State Control (Supervision) and Municipal Control in the Russian Federation”,

which will also enter into force on July 1st, 2021 (hereinafter – “**Law**”).

The Law provides for an appeal procedure: it specifies the types of SLI’s acts that are subject to appeal; it stipulates requirements for the form and content of a claim; it sets time limits for filing and processing a claim; and it outlines authorities that are entitled to consider claims.

Another significant legal development is that the Law prescribes the need to file a claim **in electronic form** through a single portal for state and municipal services and/or the corresponding regional portal. A claim submitted by a company must be signed with an **enhanced qualified electronic signature**. A citizen can also sign a claim with a simple electronic signature. However, this requirement will become compulsory **from December 31st, 2023**. Before that date, companies and authorities may exchange documents either in electronic or paper forms.

We hope that the information provided herein will be useful for you. If any of your colleagues would also like to receive our newsletters, please let us know by sending us his/her email address in response to this message. If you would like to learn more about our Labour and Employment Practice, please let us know in reply to this email. We will be glad to provide you with our materials.

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If you have any questions, please, do not hesitate to contact ALRUD Partner



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Sincerely,
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