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The "telework" bill

After the introduction of restrictions in connection with the pandemic, it became obvious that the legal regulation of remote work in the Russian Federation is not just imperfect, but practically absent. But everything has its advantages, this situation has prompted the adoption of measures to eliminate gaps in legislation on this issue.

On June 16, a draft law was submitted for preliminary consideration to the State Duma, which is supposed to amend Chapter 49.1 of the Labor code of the Russian Federation. In accordance with the bill, 3 possible modes of operation will be allocated "on the remote»:

- remote (remote) work;
- temporary remote (remote) work;
- combined remote (remote) work.

Temporary remote work may not be provided for initially in the employment contract, but may be established later by signing an additional agreement, combined remote work is established in the same manner.

The draft law provides for a simplified procedure for introducing a temporary remote work regime by issuing a local regulatory act with the establishment of a list of employees to be transferred (with their consent). The simplified procedure can only be applied in exceptional cases that endanger the life or normal living conditions of the entire population or part of it. First of all, pregnant women, employees with children under the age of 14, disabled people, old-age pensioners, and employees caring for disabled or long-term ill family members are transferred to remote work mode.

It is also necessary to note possible innovations in the regulation of the "remote" mode of operation. The bill introduces such a concept as "inviolability of rest time", when the interaction of the employer with the employee is allowed only in exceptional cases, for example, to prevent a disaster. Interaction between the employer and the employee during the rest period may be carried out with the prior written consent of the latter.

Regarding the work process itself, the bill provides for the employee's ability to use personal equipment, software and hardware, as well as information security tools, but compensation for employee expenses related to the use of personal equipment will not be the responsibility of the employer, but may be provided for in collective agreements or local regulations.

GRATA International's labor practice experts will closely monitor information on this initiative and report changes and status updates.

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