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Belarusian employees will receive more labour guarantees

On June 29, 2023, Law No. 273-Z "On amending laws on labour relations issues" was signed, significantly changing the Labour Code of Belarus. This law will enter into force on January 1, 2024. Here are some details of the new regulations.

1) Employers will have the right to determine in local legal acts (such as Internal work regulations) how many parts labour holiday can be divided into. Previously, it was possible to determine more than 2 parts of the labour holiday or prohibit dividing it only in collective agreements, contracts. After that, employers must refer to the local authority to register the amendments to the collective agreements, contracts. Nonetheless, Internal work regulations can be changed without notifying state authority.

2) It introduces a new regulation for holiday pay. The payment term will depend on whether the employee leaves for the labour holiday under the leave schedule or not. If the holiday period aligns with the leave schedule, holiday pay will be paid no later than 2 days before the holiday starts. Otherwise, the employer will receive such pay no later than 2 working days after the holiday starts.

3) Law No. 273-Z includes significant labour legislation improvements dedicated to employees' information with the employer's decisions in an electronic format using software tools that allow identifying the employee explicitly.

Note: An example of an identification facility is an e-signature. However, employees and employers can use USB tokens, smart cards, or other instruments that can accurately identify the subjects. If a company intends to implement an electronic system of document exchange, it is necessary to include such a rule in local legal acts.

They allow employees to read, understand, and acknowledge with local legal acts, employer's orders, or receive employees' consent. As well, the employee gets the opportunity to refer to the employer electronically.

Nevertheless, employers and employees can enter into, extend, or amend the labour contract and the full financial liability agreement only in written form. Discharge issues are not listed as an exception, which means the employer and employee can exchange the documents on the firing of the last one with software tools.

4) Employees will be excused from work while keeping their full pay to undergo a medical examination. This guarantee has no connection with the check-up for permission to work, but it encourages employees to have a thorough medical check. Depending on the employee's age, the acquittal period will be different:

- For employees under 40 years old – 1 working day (once in 3 years).
- For women aged 40-53 (men 40-58) – 1 working day (once a year).
- For employees at pre-retirement age (53+ for women and 58+ for men) – 2 working days (once a year).

Employees must arrange the day of their medical examination with the employer. In the end, they must provide the document to prove the doctor's appointment on that day.

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