

Labour/employment law data for Russia

1.	Is it a legal requirement that employees must receive an employment contract ?	Yes. The Labor code requires that a labor contract is concluded in written form and two copies of a labor contract are made. Each of these copies must be signed by both sides. One copy of a labor agreement is given to employee, another one remains with the employer.
2.	What factors constitute a fair dismissal i.e. legally justifiable reasons to terminate employment without the need to pay compensation?	<p>Fair dismissal of the labour contract can be by mutual agreement; termination for just cause; termination by the employee; termination by the employer; refusal to carry on specific activities due to company restructuring; or force majeure.</p> <p>An employee must be paid compensation on canceling the contract in connection with:</p> <ul style="list-style-type: none"> • Liquidation of an employer • Staff reduction • the employee's non-conforming to the post held or the work being done due to poor health which hinders further fulfilling the work • ordering the employee to join the army or sending him to an alternative civil service • the employee's reinstatement in the job which he did before • the employee's refusal to be transferred due to the employer's moving to another locality <p>Other reasons to terminate employment don't require such payments.</p>
3.	What is good practice with regard to dismissal procedures to minimise the risk of claims for unfair dismissal?	There is a general form of labour contract, but ensure that this is flexible to cover all possible situations.
4.	If an employee is dismissed unfairly what is the financial range of compensation that can be made to employees?	Generally 2 or 3 average monthly salaries - it can be higher if there are collective agreements.
5.	Do employees have the right to be members of a trade union?	Yes, but note that trade unions do not exist for 99% of small businesses.
6.	Is there any legal requirement for an employer to contribute to a pension for employees?	Yes, as part of the social fund contributions of a company.
7.	What are standard maternity rights?	<p>General anti-discrimination policies and better working conditions. Plus:</p> <ul style="list-style-type: none"> - maternity leave of 70 to 84 days before and 70 to 110 days after the birth with social payments in the amount specified by law. - rearing leave up to when a child reaches the age of three years.
8.	What are parental leave rights (including paternity leave)?	Paid maternity: ranges from 70 to 84 days before and 70 to 110 days after the birth. Parental leave rights in respect of a child up to 14 years old, mainly in relation to out of school time.
9.	When are employees eligible for redundancy payments?	Usually as stipulated by the labour contract and/or the Labour Code.
10.	What are the statutory redundancy payment limits?	Generally 2-3 average monthly salaries.

11.	Can existing employees be dismissed if you buy a business with employees?	Yes, but the Labour Code authorises compensation, but only for CEO, chief accountant and their deputies
12.	Any other general legislation?	Disability discrimination penalties; working time regulations; harassment at work and data protection, among others.