



European  
Social  
Charter

Charte  
Sociale  
Européenne



COUNCIL OF EUROPE  
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## **EUROPEAN SOCIAL CHARTER**

1<sup>st</sup> National Report on the implementation of  
the European Social Charter

submitted by

**THE GOVERNMENT OF THE RUSSIAN FEDERATION**

(Articles 1, 9, 10, 15, 18, 20 and 24  
for the period 01/12/2009 – 31/12/2010)

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Report registered by the Secretariat on 28 October 2011

**CYCLE 2012**



## Article 1 – Right to Work

In order to ensure the effective implementation of the right to work, the Parties shall:

1. As a matter of priority undertake obligations to achieve and maintain a level of employment as high and as stable as possible in order to achieve full employment;
2. Effectively protect workers' rights to earn a living from a profession of their free choice;
3. Establish or make provisions for an employment service for all workers free of charge;
4. Make provisions to hold the necessary consultations in regard to choosing a profession, training and retraining.

**Article 1§1** – As a matter of priority undertake obligations to achieve and maintain a level of employment as high and as stable as possible in order to achieve full employment;

1) Please describe the national employment policy and general regulatory framework. Please describe the nature, causes and scale of reforms.

The national policy for employment provision is determined by the Constitution of the Russian Federation which stipulates the right of every citizen to be protected from unemployment (Article 37, Section 3).

The legal, economic and organisational foundations of the state policy of the constitutional rights of citizens of the Russian Federation to labour and social protection from unemployment are defined by Law No.1032-1 of the Russian Federation dated April 19, 1991 On Employment in the Russian Federation (hereinafter – the Law on Employment). According to Article 5 of this Law the government conducts a policy of assisting in the enforcement of citizens' rights to full, productive and freely chosen employment.

State policy to promote employment is targeted at:

Developing labour resources, raising their level of mobility and protecting the national labour market;

Ensuring equal opportunities for all citizens of the Russian Federation regardless of ethnic origin, gender, age, social status, political and religious beliefs in enforcing the right to voluntary labour and a free choice of employment;

Creating conditions to ensure a dignified life and free development for people;

Supporting a labour and entrepreneurial initiative of citizens conducted within the boundaries of the law, promoting the development of their abilities for productive and creative work;

Undertaking actions to promote employment for people experiencing difficulties in searching for work. These include – people with disabilities, people released from penal institutions; minors between the ages of 14 and 18; people of pre-retirement age (two years before the age at which they are entitled to retire, including in the event of early retirement); refugees and forced migrants; citizens discharged from military service and members of their family; single parents and parents with many children raising minor children or children with disabilities; citizens exposed to radiation as a result of the Chernobyl accident and other radiation accidents and disasters; graduates of primary or secondary vocational education institutions between the ages of 18 and 20 seeking work for the first time;

Preventing mass unemployment and reducing long-term (more than one year) unemployment;

Encouraging employers who maintain existing and create new jobs, especially for people experiencing difficulty in seeking employment;

Combining the efforts of participants of the labour market and coordinating their actions when implementing measures to promote employment;

Coordinating activities relating to employment with activities in other areas of economic and social policy, including investment and structure policy, regulating the growth and distribution of earnings and warning of inflation;

Coordinating the activities of government agencies, professional unions and other representative bodies of workers and employers in the development and implementation of measures to provide employment;

International cooperation in resolving employment issues, including matters regarding the labour activities of citizens of the Russian Federation outside the territory of the Russian Federation and foreign citizens within the territory of the Russian Federation, observing international labour regulations.

In 2009-2010, due to the global financial and economic crisis, the Government of the Russian Federation implemented special measures to preserve the employment of workers and raise the level of social protection for unemployed citizens.

By Federal Law No.287-Ф3 dated December 25, 2008 On Amending the Law of the Russian Federation On Employment in the Russian Federation (hereinafter – Federal Law No. 287-Ф3) the Government of the Russian Federation was granted the right to take measures and develop activities aimed at reducing tension on the labour market of the constituent parts of the Russian Federation confronted with critical situations on the labour market.

Federal Law No.287-Ф3 also stipulated:

Requiring employers to provide employment service agencies with details of the introduction of a part-time working day (shift) and (or) part-time working week and also on the suspension of production;

Providing citizens dismissed of their own accord without good cause the amount and periods of unemployment benefits as a percentage of average earnings, but no greater than the maximum value of unemployment benefit with a payment period of 12 months instead of 6 months, previously stipulated by the regulations of employment legislation.

The government adopted Federal Law No.367-Ф3 dated December 27, 2009 On Amending the Law of the Russian Federation On Employment in the Russian Federation in order to avoid citizens not having equal rights to obtain the correct unemployment benefits and maintenance grants according to an employer's legal status (a legal entity – organisation or an individual: employer – individual entrepreneur) and also in order to give employment services the opportunity to offer early retirement to unemployed citizens dismissed after an individual entrepreneur closes business or reduces the workforce.

2) Please specify the measures taken (organisational and administrative activities, programmes, work plans, projects etc.) in order to execute normative legal documents.

In order to coordinate the actions of federal and regional executive authorities in regard to employment, a Concept of Actions on the Labour Market for 2008-2010 approved by Order No.1193-p of the Government of the Russian dated August 15, 2008, as well as a plan of action for its implementation approved by the Government of the Russian Federation were developed.

The Government of the Russian Federation adopted Resolution No. 915 dated December 8, 2008 On the Minimum and Maximum Values of Unemployment Benefit for 2009, which defines the maximum value of unemployment benefit for 2009. The maximum value of unemployment benefit for 2009 was increased to 4,900 roubles (an increase of 1,500 roubles or 1.5 times), which practically corresponded to the average annual value of the minimum subsistence level throughout the Russian Federation for the working population. By Order No. 926 of the Government of the Russian Federation dated November 14, 2009 On the Minimum and Maximum Values of Unemployment Benefit for 2010, the maximum value of unemployment benefit for 2010 was maintained at the level of 4,900 roubles and the minimum value of unemployment benefit was at 850 roubles.

There was also an increase in the level of financial provision of government services (the availability of government services) in promoting employment and target costs for their provision under active employment policy measures.

In order to provide social support to unemployed citizens in the form of payments of unemployment benefit and to increase standard costs for active employment policy measures for 2009, an additional 33,951.6 million roubles were allocated from the federal budget. The total value of subventions for constituent parts of the Russian Federation to exercise powers in regard to employment was 77.4 billion roubles.

In order to conduct a detailed and in-depth analysis of the processes occurring on the labour market of constituent parts of the Russian Federation and to quickly make the necessary decisions, the Ministry of Health and Social Development of the Russian Federation and the Federal Service for Labour and Employment organized and implemented weekly monitoring of registered unemployment, dismissal and part-time employment of workers at organisations in the constituent parts of the Russian Federation.

In order to provide information on the situation on the labour market and on the rights and guarantees in regard to employment, and also in order to provide protection from unemployment, advice centres, hotlines and pre-dismissal consultation services were set up in the constituent parts of the Russian Federation.

The official information portal Work in Russia was opened. It combined the official information of 82 regional employment services and 2,147 employment centres.

Within the framework of the implementation of Federal Law No.287-Ф3 and the increase in the level of social protection of unemployed citizens and also to preserve the employment of workers, in 2009 the Government of the Russian Federation, in accordance with Decree No.1089 dated December 31, 2008, allocated subsidies from the federal budget to the value of 43.5 million roubles to the constituent parts of the Russian Federation in order to implement additional measures to ease tension on the labour market.

In accordance with this decree of the Government of the Russian Federation, co-financing was conducted for the following measures of regional programmes to ease tension on the employment market (hereinafter – the regional programme), which were approved by all constituent parts of the Russian Federation:

Advance vocational training of employees in the event of a threat of mass dismissal (establishment of part-time employment, temporary suspension of work, provision of unpaid leave, measures to release workers). The implementation of this measure enabled employers, in the event of reorganisation, company restructuring, a reduction in production volumes or services offered or suspension of company activity, to retrain workers in new areas and it enabled workers to raise their level of qualifications, learn new professions (specialist areas), thereby avoiding loss of work (earnings). This measure also helped to reduce financial losses of an employer required to provide severance pay in the event of termination of employment or a sustained average salary in the event of a reduction in the workforce. The measure also enabled employment services to avoid unemployment benefit costs for this category of workers;

Employers creating temporary jobs (community work, temporary employment of unemployed citizens and also workers under threat of mass dismissal, internships in order to gain work experience). If they did not have sufficient funds, employers were partially reimbursed for the wage costs of people carrying out these jobs (including unemployed citizens, workers under the risk of dismissal, workers transferred to part-time employment, workers on unpaid leave or an idle period) to the value of the minimum wage (taking into account the district coefficient and payments to the wage fund). The organisation of community work and the creation of temporary jobs were aimed at carrying out work of social significance for cities and districts. Work carried out included clearing up areas and business premises, assembling, disassembling and adjusting equipment, work associated with technological maintenance, archival work and others;

Providing targeted support to citizens, including organising their relocation in order to fill vacancies, including vacancies created during the implementation of federal target programmes

and investment projects. Citizens were given advance transport expenses to relocate, following a procedure stipulated for the relocation of unemployed citizens due to their being sent to work or train in another locality at the suggestion of government employment services, they were compensated for daily expenses during their journey to and from work (100 roubles per every day on their journey to and from work) and expenses to rent accommodation during their stay in another locality (550 roubles per day on average for 3 months).

Promoting the development of small businesses and the self employment of unemployed citizens. Unemployed citizens who opened their own businesses were allocated funds in order to obtain the required equipment, tools and stocks and other expenses associated with organising their own business.

The level of subsidy to each constituent part of the Russian Federation was determined by a specially formed Interdepartmental Working Group to monitor the situation on the labour market under the leadership of the First Deputy Chairman of the Government of the Russian Federation in accordance with established criteria:

An increase in the level of registered unemployment in the subject of the Russian Federation;

An increase in the number of workers in organisations in the subject of the Russian Federation under the threat of mass dismissal (establishing a part-time work schedule, temporary suspension of work, providing unpaid leave, measures to release workers);

The presence of town-forming organisations in the subject of the Russian Federation.

In order to ease tension on the labour market of Samara Region and to provide employment to workers of Avtovaz OJSC situated in the city of Tolyatti, Decree No.902 of the Government of the Russian Federation dated November 7, 2009 On Additional Measures to Ease Tension on the Labour Market of Samara Region was adopted, which made provisions to reimburse Avtovaz OJSC (subsidiary joint-stock companies of Avtovaz OJSC) for expenses on workers' salaries, the cost of vocational training, retraining and professional development, material and technical provisions for the cleaning and repair of production areas, the disassembly of equipment and other types of temporary jobs fulfilled by workers.

In 2009, within the framework of the Decree of the Government of the Russian Federation, 712.6 million roubles were allocated from the federal budget in order to implement measures to provide employment for workers of Avtovaz OJSC (subsidiary joint-stock companies of Avtovaz OJSC). In 2010, 4,190.3 million roubles of budget assignments were allocated.

Aside from measures to promote employment and additional measures to ease tension on the labour market in the constituent parts of the Russian Federation, measures were also carried out that were targeted at implementing the priority right of Russian citizens to employment.

In order to ease tension on the labour market of the Russian Federation, the Government of the Russian Federation made a decision (Decree No.916 of the Government of the Russian Federation dated December 8, 2008 On Amending the Rules for Executive Authorities to Determine the Need to Attract Foreign Workers and Form Quotas for Foreign Workers to Work within the Russian Federation) to increase the reserve quota from 30% to 50% of the quota approved by the Russian Government for the country.

Therefore, in 2009, the constituent parts of the Russian Federation were allocated not 70% of the volume of quotas approved by the Government of the Russian Federation, but only 50%.

Under the implementation of this Decree of the Government of the Russian Federation, the need for the constituent parts of the Russian Federation to attract foreign workers and the volume of quotas for foreign workers to conduct labour activity in the Russian Federation for 2009 amounted to 3,976,747 work permits and 1,250,769 invitations to enter the Russian Federation for the purpose of conducting labour activity.

For 2009 the Ministry of Health and Social Development of Russia allocated 1,988,374 work permits for foreign citizens and 625,385 invitations to enter the Russian Federation for the purpose of conducting labour activity to constituent parts of the Russian Federation.

In order to reduce the emerging tensions on the labour market of the Russian Federation and establish measures to protect it from the effects of the crisis, throughout 2009 in accordance with suggestions of the constituent parts of the Russian Federation on increasing (decreasing) the quotas approved for the year, quotas for 2009 distributed to the constituent parts of the Russian Federation were reduced to 185,650 permits (which is 9% of the initial quota distributed to the constituent parts of the Russian Federation) and 26,756 invitations (which is 4% of the initial quota distributed to the constituent parts of the Russian Federation).

Based on suggestions from constituent parts of the Russian Federation, the Government of the Russian Federation determined it would be necessary to attract 1,944,356 foreign workers to the Russian Federation, quotas were approved to issue 1,944,356 work permits to foreign citizens and 611,080 invitations to foreign citizens in order to enter the Russian Federation for the purpose of conducting labour activity.

Compared to 2009, the overall requirement to attract foreign workers in 2010 decreased to 49% of the established requirement in 2009.

Due to the continuation of the structural imbalance on the labour market caused, amongst other things, by ongoing crisis situations in the economy, in 2010, implementation continued of additional programme measures aimed at reducing tension on the labour market of constituent parts of the Russian Federation.

Budget assignments of 36,320.0 million roubles were earmarked for the Federal Service for Labour and Employment in the 2010 federal budget for the implementation of additional measures to support the labour market.

In 2010 measures continued to provide advanced vocational training for workers in the event of idle periods, the introduction of a part-time work schedule, the provision of unpaid leave upon the initiative of the employers in the event of a threat of dismissal; the organisation of community work; temporary employment of workers of organisations in the event of a threat of dismissal and also citizens duly recognized as unemployed and citizens seeking employment; the promotion of self-employment of unemployed citizens and the stimulation of the creation of additional jobs for unemployed citizens by other unemployed citizens opening their own businesses; to offer targeted support to citizens visiting employment service agencies in order to search for employment, including arranging their relocation to other areas to fill vacancies, including vacancies created within the framework of the implementation of federal target programmes and investment projects.

Additional measures aimed at reducing tension on the labour market were also implemented:

- Advanced vocational training of air navigators and flight engineers dismissed in connection with the reorganisation and (or) transition of airline companies to modern aircraft;

- Internships for graduates of educational institutions in order for them to gain work experience;

- Assisting people with disabilities in finding employment.

In 2009-2010 more than 4.4 million people took part in additional measures to ease tension on the labour market, approximately 2.0 million jobs were preserved and an additional 4.0 million jobs were created, including more than 390,000 permanent jobs in the small business sector.

Approximately 20,000 citizens found work in another locality. More than 7,800 unemployed people with disabilities gained employment in workplaces equipped by employers to meet the individual physical requirements of people with disabilities.

Measures were taken to raise the competitive ability and professional mobility of the workforce. 354,000 workers at risk of dismissal underwent advanced vocational training. 118,000 graduates of professional educational institutions were sent on internships in order to gain experience, which enabled them to gain a foothold in the workplace.

Anti-crisis measures taken by the Government of the Russian Federation enabled stability to be maintained in the social sphere and the level of unemployment to be reduced. The implementation of additional measures not only avoided mass dismissal of workers (approximately 2.8 million people) and preserved the human potential of workers of organizations, but also reduced the number of unemployed citizens.

The total number of unemployed citizens decreased in comparison with the beginning of 2010 by more than 780,000 and by January 2011 stood at 5.7 million or 7.6% of the economically active population, which is practically one quarter less than the period of the acute phase of the financial and economic crisis (9.4% of the economically active population).

The number of unemployed citizens registered at employment service agencies decreased from 2.3 million at the beginning of 2010 to 1.6 million in January 2011. The level of registered unemployment for this period decreased from 2.8% of the economically active population to 2.1%.

The number of vacancies advertised by employers at employment service agencies of the constituent parts of the Russian Federation increased in comparison with the beginning of 2010 by 255,000 and on January 1, 2011 the figure stood at 982,200.

The tension coefficient on the labour market (the number of unemployed citizens registered at employment service agencies to one vacancy) decreased from 3.2 in January 2010 to 1.8 in January 2011.

The implementation of measures of regional programmes had a positive effect on the labour market of the constituent parts of the Russian Federation, it helped to maintain the jobs of workers at organisations and lower the number of part-time workers, thereby helping organisations to move on from the crisis and start to work as normal. The number of part-time workers decreased 3 times in comparison with the beginning of 2010 (from 1.5 million on January 1, 2010 to 0.49 million on January 1, 2011).

The stabilisation of the situation on the labour market is also proved by the fact that the number of workers expected to be dismissed decreased from 480,000 at the beginning of 2010 to 246,000 (on January 1, 2011).

From the beginning of October 2008, the total number of workers dismissed was 1.54 million, the majority of which were put into employment. Amongst those workers dismissed approximately 628,000 were put into employment with the assistance of employers and employment services, including approximately 167,000 people who were given jobs back in the same organisation.

The situation on the labour market stabilised in the majority of the single-industry communities. The number of unemployed citizens registered in employment service agencies and living in single-industry communities decreased from the maximum value of 163,400 (On April 1, 2010) to 151,000 (On January 1, 2011).

The level of registered unemployment on the whole for all single-industry communities as at January 1, 2011 was 2.1% of the economically active population, which was in line with the Russian average level of registered unemployment.

3) Please give details of relevant figures, statistical data (e.g. Eurostat data) or other information relating to this issue, in particular: GDP growth rates; trends in employment in all sectors of the economy; the level of employment (the number of employed people as a percentage of the number of people aged between 15 and 64), the level of employment amongst young people; figures for economic activity (the total population of working age as a percentage of the number of people above the age of 15); the level of unemployment, the level of prolonged unemployment, the level of unemployment amongst young people; employment status (in labour relations, self-employed individual); all figures should be classified by gender; costs in employment provision policy presented in the form of a share of the GDP, including relative shares of “active” measures (creation of jobs, training etc.) and “passive” measures (monetary compensation etc.).

3.1. GDP growth rates in the Russian Federation from 2008 to Q1 2011  
(as a % of the previous year)

	2008	2009	2010	Q1 2011
GDP	105.2	92.2	104.0	104.1

The collapse of the global credit market and the sharp decrease in prices on the commodity markets in September 2008 had a significant effect on the dynamics of industrial production and investment. The decrease in the GDP began in Q3 2008 and continued until Q2 2009. During this time the Russian economy fell 11 percent.

By mid-2009, the economic downturn in Russia came to a halt and, due to an improvement of conditions on the global commodities and fuel markets and also as a result of implementing an anti-crisis programme, growth was restored to the Russian economy. In Q3 2009, with the exception of the seasonal factor, GDP increased by 1.8% and in Q4 by 2.3%. In Q3 economic growth was sustained by an increase in the output of industrial production. Towards the end of 2009, the recovery of the economy accelerated significantly due to the rapid growth of construction and agriculture. External market conditions remained a significant factor in the renewal of economic growth. The minimum for oil prices was experienced in Q1 2009 when the average price for oil on the global commodity markets was just 44 US dollars per barrel, in November-December the price of oil was already approximately 75 US dollars per barrel.

The main trend for 2010 was the gradual continuation of the restoration of economic activity, despite the negative trends of the summer months due to the abnormally hot weather.

The recovery of growth in 2010 was facilitated by an improvement of the situation in the global economy, increased external demand and an increase in prices for Russian exported commodities, the recovery of the share indexes and the consolidation of the balance of payments. Alongside external demand, a positive contribution was also made by the recovery of internal demand, both investment demand and consumer demand, stimulated by anti-crisis measures and also the recovery of stocks.

In the first six months of 2010, the main factor of growth was consumer demand. In Q2 the level of investment rose, which supported the growth of industrial production. Positive trends in the economy in Q3 were suspended; there was a decrease in growth due to the difficult natural and climatic conditions of the summer of 2010. In Q4 the growth in investment increased sharply supported by the increase of global prices and export goods.

Analysis of the key macroeconomic trends of 2010 enables us to conclude that positive trends for recovery growth are continuing in the Russian economy. According to an initial estimate by Rosstat (the Federal State Statistics Service), the increase in GDP in 2010 was 4.0% in comparison to the previous year with an increase on investments in registered capital of 6.0% and an increase in retail trade turnover of 4.4%. Growth in industrial production was 8.2%; including growth of 11.8% in manufacturing activity. Industrial types of activity functioning on internal demand began to increase at a faster pace. The recovery of economic growth was accompanied by the normalization of the situation on the labour market, throughout 2010 unemployment continued to decrease. As state expenditure increased the positive dynamics of state defence orders, infrastructure and high-tech projects remained the same.

The increase in internal demand in Russia in 2010 happened faster than the economy as a whole – 6.6% against an increase in GDP of 4%. This predetermined the intensive increase of imports of goods and services with a significantly lower increase of export supplies.

### 3.2. Employment Trends

#### Key figures of the labour market

	2008	2009	2010
Level of economic activity of the population, % of the total population aged between 15-72 years	67.7	67.8	67.7
Including:			
Men	73.6	73.5	73.8
Women	62.5	62.7	62.3
Level of employment, % of total population aged between 15-72 years	63.4	62.1	62.7
Including:			
Men	68.8	66.9	67.9
Women	58.7	57.8	58.0
Level of unemployment, % of the total economically active population aged between 15-72 years	6.3	8.4	7.5
Including:			
Men	6.6	9.0	8.0
Women	6.1	7.8	7.0

#### Level of economic activity of the population by age and gender (in percentage)

	Age, years									
	Under 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-72
<b>Total</b>										
2008	16.2	65.5	86.7	89.4	91.5	91.8	90.6	84.3	62.5	18.1
2009	13.8	64.9	86.7	88.7	91.3	91.9	90.6	84.3	62.2	19.0
2010	11.9	63.0	87.0	89.3	91.5	92.1	90.7	85.1	61.8	18.3
<b>Men</b>										
2008	19.0	71.5	93.4	94.0	94.4	92.7	91.5	87.2	76.6	24.3
2009	16.0	70.0	93.3	93.6	93.8	93.1	91.5	86.7	76.3	25.1
2010	14.4	69.0	93.8	94.4	94.1	93.6	91.6	87.7	76.4	24.7
<b>Women</b>										
2008	13.4	59.4	80.1	84.8	88.6	90.9	89.8	81.9	51.6	14.3
2009	11.4	59.6	80.1	83.9	88.8	90.7	89.8	82.3	51.2	15.3
2010	9.4	56.9	80.2	84.3	88.9	90.8	90.0	82.8	50.7	14.4

Level of employment of the population by age and gender  
(in percentage)

	Age, years									
	Under 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-72
<b>Total</b>										
2008	12.0	57.9	81.0	84.5	86.6	87.2	86.4	80.2	59.9	17.4
2009	9.5	54.1	78.8	82.1	84.8	86.0	84.7	78.9	58.5	18.2
2010	8.1	53.5	79.9	83.2	86.1	86.9	85.5	80.1	58.7	17.6
<b>Men</b>										
2008	14.7	63.5	87.2	88.7	89.2	87.8	87.0	82.7	73.0	23.3
2009	11.6	58.3	84.8	86.2	86.5	86.4	84.9	80.6	71.2	24.0
2010	10.3	58.6	86.1	87.6	88.1	87.9	85.8	82.1	71.8	23.7
<b>Women</b>										
2008	9.3	52.1	74.9	80.3	84.2	86.6	85.8	78.1	49.8	13.8
2009	7.2	49.8	72.8	78.2	83.2	85.5	84.5	77.4	48.7	14.7
2010	5.9	48.3	73.7	79.0	84.2	86.0	85.2	78.4	48.6	13.9

Level of unemployment of the population by age and gender  
(in percentage)

	Age, years									
	Under 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-72
<b>Total</b>										
2008	25.8	11.6	6.6	5.5	5.3	5.0	4.7	4.9	4.1	3.8
2009	31.1	16.6	9.1	7.4	7.1	6.4	6.5	6.5	5.9	4.4
2010	31.9	15.1	8.2	6.8	5.9	5.6	5.8	5.8	5.1	4.1
<b>Men</b>										
2008	22.9	11.2	6.6	5.6	5.6	5.3	4.9	5.2	4.7	4.3
2009	27.4	16.7	9.1	7.9	7.8	7.1	7.3	7.0	6.8	4.6
2010	28.6	15.1	8.2	7.2	6.4	6.0	6.3	6.4	6.0	4.2
<b>Women</b>										
2008	30.1	12.2	6.5	5.3	5.0	4.7	4.4	4.6	3.5	3.4
2009	36.6	16.5	9.2	6.8	6.3	5.7	5.8	6.0	4.9	4.3
2010	37.1	15.1	8.1	6.4	5.3	5.3	5.3	5.4	4.1	4.0

Distribution of the number of unemployed individuals in terms of the duration of the search  
for employment

	Total, thou	Of which have been seeking employment, months						Average time taken to find employment, months
		Less than 1	1-3	3-6	6-9	9-12	12 or more	
<b>Total</b>								
2008	4,791	621	931	720	397	437	1,686	8.0
2009	6,373	814	1,402	1,293	542	493	1,830	7.2
2010	5,645	642	1,052	1,269	493	495	1,694	7.5
<b>Men</b>								
2008	2,542	354	537	396	201	223	832	7.6
2009	3,468	460	783	730	294	264	936	7.0
2010	3,078	354	587	702	270	274	891	7.4
<b>Women</b>								
2008	2,250	267	394	324	196	214	854	8.4
2009	2,905	353	618	563	247	230	894	7.4
2010	2,567	288	465	567	223	221	803	7.7

Average duration of the search for employment by unemployed individuals in terms of age group  
and gender  
(months)

	Unemployed, total	Of which seeking employment, age, years									
		Under 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-72
<b>Total</b>											
2008	8.0	5.3	6.6	8.0	8.2	8.7	8.8	9.3	9.3	9.5	9.0
2009	7.2	4.9	6.5	7.2	7.2	7.2	7.9	7.9	8.2	8.0	7.7
2010	7.5	4.8	6.4	7.5	7.6	8.1	8.3	8.5	8.7	8.3	8.3
<b>Men</b>											
2008	7.6	5.0	6.4	7.4	7.8	8.6	8.2	8.5	8.8	9.7	8.6
2009	7.0	4.9	6.3	6.8	6.9	6.9	7.5	7.8	8.0	8.2	7.6
2010	7.4	4.7	6.4	7.4	7.5	7.9	8.0	8.3	8.4	8.5	8.0
<b>Women</b>											
2008	8.4	5.5	6.8	8.7	8.7	8.8	9.3	10.0	9.9	9.1	9.6
2009	7.4	4.8	6.8	7.5	7.6	7.7	8.3	8.0	8.5	7.6	7.8
2010	7.7	5.0	6.4	7.5	7.7	8.4	8.6	8.7	8.9	8.1	8.6

## Employment Models

According to data from Rosstat, hired workers constituted 92.5% in 2009 and 93.1% in 2010 of the total population in employment.

In 2009-2010 the greatest number of hired workers worked under indefinite employment contracts – 89.4% and 90.8% respectively.

Distribution of the number of employed individuals in the economy in terms of status at their  
main job  
(in thou.)

	Total	Of which					
		Hired workers	Non-hired workers	Including			
				Employers	Self-employed individuals	Members of production cooperatives	Assistants in family businesses
<b>Total</b>							
2008	70,965	65,774	5,191	1057	3,941	104	88
2009	69,285	64,120	5,165	927	3,910	96	231
2010	69,803	64,998	4,805	884	3,571	50	300
<b>Men</b>							
2008	36,139	33,271	2,867	667	2,079	69	53
2009	35,059	32,191	2,868	607	2,078	61	122
2010	35,500	32,768	2,732	566	1,963	31	171
<b>Women</b>							
2008	34,826	32,503	2,323	390	1,862	35	36
2009	34,226	31,930	2,296	320	1,832	35	109
2010	34,303	32,230	2,074	317	1,608	19	129

## Hired workers in terms of contract type

In thou.

On average for the period	Total	Of which worked				
		Permanently (indefinite employment contract)	For a fixed term (fixed-term employment contract)	Under a verbal agreement without paperwork	Under a civil law contract	Under a work from home contract
2009	64,120	57,315	3,461	2,448	875	21
2010	64,998	59,045	2,963	2,276	693	21
Men						
2009	32,191	27,988	2,141	1,592	462	7
2010	32,768	29,003	1,846	1,533	377	9
Women						
2009	31,930	29,327	1,320	855	413	14
2010	32,230	30,042	1,118	742	316	12

Compared with 2009, in 2010, the number of individuals working under indefinite employment contracts increased. At the same time, there were fewer individuals working under fixed-term contracts, civil law contracts and also under verbal agreements without paperwork. This trend is noted both in relation to working men as well as working women.

## 3.3. Funding Employment

## Expenses on measures to promote employment

	2008	2009	2010
Total, billion roubles	37.9	87.1	84.0
Including:			
On active employment policy measures	4.4	6.5	8.0
On passive employment policy measures	20.7	55.0	60.4
Total, % of GDP	0.09	0.22	0.19
Including:			
On active employment policy measures	0.01	0.02	0.02
On passive employment policy measures	0.05	0.14	0.13
GDP, billion roubles	41,276.8	38,786.4	44,939.2

**Article 1§2** – Effectively protect workers’ rights to earn a living from a profession of their free choice;

**Addendum to Article 1§2**

This provision hereby may not be interpreted as a clause or norm that prohibits or permits any kind of trade union.

1) Please describe the national policy for the provision of employment and the overall regulatory framework. Please describe the nature, causes and scale of reforms.

Based on the universally recognised principles and regulations of international law as one of the foundations of the constitutional order of the Russian Federation. The Constitution of the Russian Federation secured the freedom of labour, the right of every citizen to make free use of his or her abilities for work and to choose the type of activity and occupation (Article 37 of the Constitution of the Russian Federation).

This principle is most fully reflected and defined in employment law which regulates social relations in the key area of society’s vital activities- in the area of hired labour.

The Labour Code of the Russian Federation stipulates that the main principles of the legal regulation of labour relations and other relations indirectly related to these recognize:

The freedom of labour, including the right to work, which every citizen freely chooses or to which every citizen freely agrees, the right to make use of his or her abilities for work and to choose the type of activity and occupation;

The prohibition of forced labour and employment discrimination;

The implementation of state supervision and monitoring of compliance with state guarantees to ensure workers’ rights;

The guarantee of the right of every citizen to protection, including judicial protection, of his or her employment rights and freedoms by the state.

The Principle of the Freedom of Labour, including the right to work, which every citizen freely chooses or to which he or she agrees, the right of every citizen to make use of his or her abilities for work and to choose the type of activity and occupation, is incompatible with forced labour and discrimination, which are prohibited by law. Otherwise neither the freedom of labour nor the right to work, which every citizen is free to choose or to which he or she freely agrees, are possible. Every citizen is free in his or her choice of employment both in choice of occupation and type of activity. This principle is supplemented by guarantees and is embodied in the corresponding regulations of the Labour Code of the Russian Federation.

For example, according to Article 56 of the Labour Code, an employment contract is an agreement between the employer and the employee, in accordance with which the employer offers employment in line with employment duties; provides working conditions stipulated by employment legislation and other regulatory acts containing employment law regulations, a collective agreement, other agreements, internal regulations and the agreement itself; pays the employee his or her salary on time and in full and the employee personally fulfils the agreed duties and complies with the employer’s effective code of conduct.

Article 60 of the Labour Code prohibits an employee from being required to carry out tasks not stipulated in the employment contract, except for cases stipulated in the Code and other federal laws.

Article 64 of the Labour Code prohibits the refusal to enter into an employment contract without any justification. Any direct or indirect limitation of rights or direct or indirect advantages for entering into an employment contract depending on sex, race, skin colour, nationality, language, origin, property, social and official status, age, place of residence (including whether or not the citizen is registered at their place of abode or residency) as well as

other circumstances unrelated to the professional qualities of employees, is not allowed, with the exception of cases, stipulated in federal law.

The principle of the freedom to choose the type of activity, occupation (speciality), sort and nature of work is also stipulated in Article 12 of Law No. 1032-1 of the Russian Federation dated April 19, 1991 On Employment in the Russian Federation.

According to Article 8 of this Law citizens are entitled to choose place of employment through direct contact with the employer or through the free services of employment service agencies or with the help of other organisations facilitating employment.

The principles of prohibiting forced labour and discrimination, stipulated in Article 2 of the Labour Code is expanded in Articles 3 and 4.

The principle of prohibiting discrimination means that every citizen has equal opportunities for exercising their employment rights. No person may have their employment rights and freedoms restricted or receive any advantages independent of sex, race, skin colour, nationality, language, property, marital, social or official status, age, place of residence, religious views, political persuasion, membership or lack of membership of associations as well as other circumstances unrelated to the employment qualities of the employee.

A discriminatory approach to promotion is illegal (Article 2 of the Labour Code). Employees should be promoted (be promoted, receive higher rankings, categories etc.) on the basis of objective criteria such as employee output, qualifications, and length of service. Taking into account the specific nature of the content and organisation of labour in separate sectors (areas of activity) these criteria can be defined in federal laws and other regulations. When deciding on promotion it is also necessary to take into account the attitude of the employee to his or her duties and compliance with labour discipline.

These criteria must be central when referring an employee for vocational training, retraining or professional development.

When concluding an employment contract it is not permitted to establish any direct or indirect limitations of rights or direct or indirect advantages dependent on sex, age, race, skin colour and other circumstances unrelated to the employment qualities of the individual starting work (Article 64 of the Labour Code).

It is prohibited to discriminate when establishing working conditions in a collective agreement, agreement, internal regulation or employment contract.

Collective agreements, agreements and employment contracts may not contain clauses that limit workers' rights or decrease their level of guarantees in comparison with established employment legislation and other regulations containing employment law standards. If such clauses are included in a collective agreement, agreement or employment contract, then they are not be applied (Article 9 of the Labour Code).

This general rule is defined in relation to determining remuneration: the rates of pay and other terms of remuneration are determined dependent on an employee's experience, the complexity of the work carried out, the quantity of labour (Article 132 of the Labour Code), i.e. objective criteria for employment activity. For example, when working part-time an employee is paid in proportion to the time he or she worked or subject to the amount of work he or she carried out. To increase or decrease the rate of pay (to change other terms of remuneration) on the basis of sex, age, nationality and other discriminatory criteria is illegal.

A half-day (shift) or a part-time working week may be established through agreement between employee and employer either upon employment or thereafter. The employer must establish a half-day (shift) or a part-time working week at the request of a pregnant woman, one of the parents (guardian, trustee) of a child under the age of four years old (or a child with disabilities under the age of 8) as well as an individual providing care for a sick relative in accordance with a medical report, issued in the manner established by federal laws and other regulations of the Russian Federation (Article 93 of the Labour Code). Furthermore, part-time

work does not bring about any limitations to the amount of basic annual paid leave, calculation of employment history and other employment rights.

Circumstances not directly related to an employee's employment qualities, the content of his or her work, the fulfilment by them of his or her employment duties may not serve as grounds for incurring disciplinary action or financial responsibility, transfer to another position, overtime, limitations to the benefits and advantages provided for by law or the termination of the employment contract.

Setting distinctions, exceptions and preferences as well as limiting workers' rights is not discrimination when determined by the characteristic demands of the given type of work either established by the special concern of the government for individuals in need of increased social and legal protection. Furthermore, such demands must be stipulated in federal law.

The Labour Code specifies circumstances, which many not be considered as discriminatory in accordance with universally recognised international legal norms. Their purpose is to ensure the protection of the health and employment of individuals in need of higher social and legal protection as well as to take into account, upon employment, distinctions, exceptions and limitations, characteristic to the requirements produced by this type of work and stipulated by federal law. The protection of health and employment refers to, for example, regulations prohibiting employment in certain areas of work without a prior medical examination. An example of additional requirements characteristic to a given type of work is the need to pass occupational selection for a position related to the operation of trains (Clause 3 of Article 25 of Federal Law No. 17-Φ3 dated January 10, 2003 On Railway Transport in the Russian Federation).

The protection of citizens in need of special government care is evident in the provision of additional guarantees afforded them, including the adoption of specific legal regulations and the establishment of quotas for employing certain categories of citizens. Thus Federal Law No. 181-Φ3 dated November 24, 1995 On the Social Protection of Persons with Disabilities in the Russian Federation stipulates that all organisations, irrespective of the type of organisation and form of ownership, with more than 100 people must establish a quota for the employment of people with disabilities in percentage terms proportional to the average number of listed employees, but no less than 2% and no more than 4%.

Individuals who believe that they have been subjected to discrimination in the workplace have the right to petition the courts with an application for the restoration of violated rights, damages for trespass to the person, and compensation for moral damage (Article 391 of the Labour Code) and (or) apply to the authorities of the Federal Labour Inspectorate (Article 356 of the Labour Code). This means that the employee may voluntarily apply to the labour inspectorate and to the courts (appealing the decision of the inspectorate) or directly to the courts.

The violated rights of the employee are subject to restoration. If the admission of discrimination led to loss of earnings or the deprivation of the employee's ability to work, the employer compensates the loss of earnings (remunerates for the period of forced absence) (Article 234 of the Labour Code). If the discriminatory activities of the employer against the employee (an individual undertaking work) cause moral damage, he or she is liable to pay compensation according to regulations of Article 137 of the Labour Code.

Labour Code Regulations prohibiting discrimination in the workplace comply with the Constitution of the Russian Federation (Section 2 of Article 19), which guarantees the equal rights and liberty of any individual and citizen regardless of sex, nationality, language, origin, property and official status, place of residence etc. and was ratified by the Russian Federation of the Convention of the International Labour Organisation No. 111 Concerning Discrimination (Employment and Occupation) (1958).

The Code not only prohibits forced labour but also defines forced labour, which corresponds with the language used in the International Labour Organisation Convention No. 29 On Forced Labour (1930).

The Code broadened understanding of forced labour in comparison with international legal regulations.

The Code determines that forced labour includes work carried out by any worker under the threat of any penalty (personal violence), including:

For the purposes of maintaining work discipline;

By way of sanctions for striking;

By way of means for mobilising and exploiting the work force for needs of economic development;

By way of punishment measures for having or expressing political views or ideological convictions, contrary to the established political, social or economic system;

By way of discrimination according to factors of racial, social, national or religious origin.

Forced labour also includes any work which an employee is forced to carry out under the threat of any penalty (personal violence), meanwhile in accordance with the Labour Code and other federal laws he or she has the right to refuse to carry out such work including because of: the violation of the established terms of payment or incomplete payment; the occurrence of an immediate threat to the life or health of the employee owing to violations of health and safety requirements, in particular his or her lack of means of collective or individual safeguarding in accordance with established regulations.

Broadening understanding of forced labour strengthens the guarantees of compliance with workers' employment rights, gives him or her the right to suspend carrying out his or her employment duties in case of delays in the payment of wages by more than 15 days (Article 142 of the Labour Code) or refuse to execute work, which poses an immediate threat to his or her life and health (Article 379 of the Labour Code).

Article 4 of the Labour Code, which prohibits forced labour, lists types of work which are not considered forced labour:

Work, the execution of which is stipulated in legislation on military duties and military service or alternative civil service substituting this;

Work, the execution of which is stipulated by the introduction of a state of emergency or state of martial law, established by federal constitutional laws;

Work carried out in an emergency, i.e. in case of disasters or threats of disasters (fire, floods, famine, earthquakes, epidemics or an epizootic outbreak) and in other events placed under threat of danger to life or the normal living conditions of the entire population or part of it;

Work carried out as a result of a court sentence that has entered into legal force, under the supervision of the state bodies responsible for compliance with legislation upon executing court sentences.

The term of military service for military personnel serving conscription or carrying out contracted military service as well as the term for alternative civil service is determined by Article 38 of Federal Law No. 53-Φ3 dated March 28, 1998 On Civil Service and Article 5 of Federal Law No. 113-Φ3 dated July 25, 2002 On Alternative Civil Service respectively.

Federal Constitutional Law No. 3-ΦK3 dated May 30, 2001 On a State of Emergency stipulates, in exceptional circumstances relating to the need to carry out and provide search-and-rescue and other urgent work, the mobilisation of the able-bodied population and utilisation of the means of citizens to undertake the specified work under the compulsory compliance of health and safety regulations (sub-clause 'e' of Article 13).

Work by way of execution of punishment ordered by a court sentence that has entered into legal force is not considered forced labour. Such work is carried out upon sentencing to corrective labour (Chapter 7 of the Criminal Code of the Russian Federation) and imprisonment. Article 103 of the Criminal Code of the Russian Federation stipulates that anyone sentenced to imprisonment must work in places and jobs determined by the administration of the correctional facilities. In turn the administration of the correctional facilities must engage convicts in socially useful work, taking into account their sex, age, ability to work, state of health, and where possible, their profession.

The regulatory framework that implements state supervision and monitoring of compliance with state guarantees for protecting workers' rights is established in Chapter 57 of the Labour Code of the Russian Federation.

The Federal Labour Inspectorate carries out state inspection and monitoring of compliance with employment legislation and other regulations containing employment law standards of all employers on the territory of the Russian Federation.

Internal state monitoring of compliance with employment legislation and other regulatory acts containing employment law regulations within lower organisations is carried out by federal executive bodies and executive bodies of the constituent parts of the Russian Federation as well as by local government agencies pursuant to the terms and procedures determined by federal laws and the laws of the constituent parts of the Russian Federation.

The Federal Labour Inspectorate is a single centralised system comprising the federal executive body, the authorised representative to carry out state inspection and monitoring of compliance with employment legislation and other regulatory acts containing employment law regulations, and its local agencies (state labour inspectorates).

The activities of the Federal Labour Inspectorate and its officials are executed on the foundation of principles of the respect, observance and protection of the rights and freedom of the individual and citizen, legality, objectivity, independence and transparency.

The main responsibilities of the Federal Labour Inspectorate are:

- to enforce and protect the employment rights and liberties of citizens, including the right to safe working conditions;

- to ensure that employers comply with employment legislation and other regulatory acts containing employment law regulations;

- to provide employers and employees with information on the most effective means and methods for compliance with employment law regulations and other regulatory acts containing employment law regulations;

- to inform the relevant state authorities of cases of violations, actions (failure to act) or abusive practices, which do not fall within the purview of employment legislation and other regulatory acts containing employment law regulations.

In accordance with the responsibilities assigned to it, the Federal Labour Inspectorate executes the following competences:

- Carries out state inspection and monitoring of employer compliance with employment legislation and other regulatory acts containing employment law regulations, by means of inspections, investigations, issuance of orders to eliminate violations necessary for implementation, compilations of records of evidence of administrative violations within its competence, preparing other materials (documents) on how to prosecute offenders pursuant to federal laws and other regulatory acts of the Russian Federation;

- Analyses the circumstances and causes of the identified violations, take measures to eliminate them and restore the violated employment rights of citizens;

- Examines legal proceedings relating to administrative violations in accordance with the Russian Federation;

- Refers duly the relevant information to the federal executive bodies, executive bodies of the authorities of the constituent parts of the Russian Federation, local government agencies, law enforcement agencies and the courts;

- Summarises the practice of application, analyse the causes of employment law violations and violations of regulatory acts containing employment law regulations and prepares relevant suggestions for their improvement;

- Receives and examines statements, letters, complaints and other citizen appeals about violations of their employment rights, take measures to eliminate the identified violations and restore violated rights;

Provides information and consults with employers and employees on issues relating to compliance with employment legislation and other regulatory acts containing employment law regulations;

Informs the public of identified violations of employment legislation and violations of other regulatory acts containing employment law regulations and carry out explanatory work on the citizens' employment rights;

In exercising their rights and competences, state work inspectors are authorised state representatives and are under its protection. They are independent of state bodies, officials and obey only the law.

Under the supervision of the Federal Service for Employment and Labour Relations there are currently 82 local agencies carrying out state inspection and monitoring in the identified field of activity (state work inspections).

Standard regulations for local government agencies of the Federal Service for Labour and Employment are established and confirmed by order No. 378Н of the Ministry of Health and Social Development dated July 1, 2009. Regulations for work inspections in the constituent parts of the Russian Federation are established by orders of officials from the Federal Service for Employment and Labour Relations.

The right to monitor compliance of employers and their representatives with employment legislation and other regulatory acts containing employment law standards, their implementation of labour contract terms is also granted to trade unions (Chapter 58 of the Labour Code of the Russian Federation).

Article 391 of the Labour Code of the Russian Federation provides the possibility of court hearings of individual employment disputes upon application of the employee, employer or trade union protecting the interests of the worker, where they are not in agreement with the decision of the labour disputes commission or where the employer appeals to the court, bypassing the labour disputes commission as well as upon application of the prosecutor or if a decision of the labour disputes commission is not pursuant to employment legislation or other acts containing employment law regulations.

The state prosecutor's supervision of the accurate and uniform implementation of employment legislation and other acts containing employment law regulations is carried out by the Prosecutor-General of the Russian Federation and his subordinates in accordance with the Federal Law On the Prosecutor's Office of the Russian Federation.

Federal Law No. 58-Φ3 of the Russian Federation dated April 11, 1998 ratified International Labour Organisation Convention No. 81 On Labour Inspection in Industry (1947) and (1995 Protocol to it).

2) Please specify the measures taken (organisational and administrative activities, programmes, work plans, projects etc.) in order to execute regulatory documents

Implementation of the regulations of the Constitution of the Russian Federation on the right of workers to free labour, for compliance of state guarantees ensuring workers' rights is executed by the Federal Labour Inspectorate on the basis of the following administrative procedural rules:

The administrative procedure of the Federal Service for Labour and Employment for the implementation of the state duty, 'To organise the reception of citizens, a timely and complete examination of their appeal, submitted either verbally or in writing, to reach a decision regarding it and respond within the period established by the legislation of the Russian Federation,' approved by Order No. 859Н of the Ministry of Health and Social Development of Russia dated October 30, 2009.

The administrative procedure of the Federal Service for Labour and Employment regarding the state duty to register sectoral (intersectoral) agreements concluded at the federal level of social partnership, approved by Order No. 1Н of the Ministry of Health and Social Development of Russia dated January 12, 2009;

The administrative procedure of the Federal Service for Labour and Employment for the implementation of the state duty to provide information and consult employers and employees on issues relating to compliance with employment legislation and other regulatory acts containing employment law regulations, approved by Order No. 702H of the Ministry of Health and Social Development of Russia dated December 9, 2008;

The administrative procedure of the Federal Service for Labour and Employment for rendering services of assistance with settlement of collective labour disputes, relating to execution, amendment and implementation of agreements which are concluded at the federal level of social partnership, collective labour disputes in organisations which are financed by the federal budget as well as collective labour disputes arising in cases where pursuant to legislation of the Russian Federation a strike may not be held in order to resolve a collective labour dispute, approved by Order No. 230H of the Ministry of Health and Social Development of Russia dated May 15 2008.;

The administrative procedure of the Federal Service for Labour and Employment for executing its duty to maintain a database of labour adjudicators, approved by Order No. 938H of the Ministry of Health and Social Development of Russia dated December 2, 2009.

3) Please give details of the corresponding indicators, provide statistical data and other necessary information in the corresponding cases.

Data from the Russian Federal Service for Employment and Labour Relations on the inspection of employer compliance with employment legislation

Indicator	2009	2010
General number of violations of employment law identified when carrying out inspections, including:		
Number of violations of employment legislation not related to work safety	1,348,664	992,413
Number of violations of employment legislation related to work safety	383,208	326,635
Of the total number of violations, the following number were identified in relation to:		
- pay and setting labour norms	965,456	665,778
- employment contracts	152,779	115,823
- regulating the employment of women and individuals with family obligations	113,804	103,403
	13,578	9,546
Of the number of violations of employment legislation not connected with work safety:		
Violations eliminated within the established deadline	324,549	274,392
Violations, the deadline for the elimination of which has not passed	31,837	34,065
Illegal orders relating to the dismissal of employees which were rescinded at the request of the state labour inspectors (cases)	1,933	1,543
Number of employment contracts concluded with employees on demand of the state labour inspectorate	31,085	27,411
Referred on behalf of the state labour inspectorate to the civil claims courts for labour issues	62	131
- of which were settled in court	11	10

Legal assistance rendered to citizens for the preparation of their employment claims to the courts	8,025	7,397
- of which were settled in court	1,362	763
Petitions relating to industrial court cases in partnership with state labour inspectors which were examined	1,233	1,289
- of which were settled in court	609	700

According to data from the Russian Federal Service for Employment and Labour Relations compiled as a result of inspections carried out by state employment inspectors in comparison to 2009 the number of identified violations of employment legislation in 2010 decreased by 26%. Of the total number of identified violations the majority of violations were identified in relation to issues of pay and labour norms and employment contracts. Furthermore, in comparison to 2009 the number of identified violations in 2010 decreased by 24.2% and 9.2% respectively.

The most widespread violations of the requirements of employment legislations, regulating the manner for execution, amendment and termination of employment contracts were the following:

Failure to conclude employment contracts in writing (violation of Article 67 of the Labour Code);

Failure to include binding conditions in employment contracts (violation of Article 57 of the Labour Code);

Transfer of employees to another job without their written consent (violation of Article 72.1 of the Labour Code);

Failure to notify employees within two months about forthcoming amendments to conditions of the employment contract determined by the parties and the causes behind the necessity of such amendments (violation of Article 74 of the Labour Code);

Termination of the employment contract without notifying employees three days prior to the end of the effective period of the employment contract (violation of Article 79 of the Labour Code);

Dismissal of employees on their initiative prior to the expiration of the two week notification period, where no date is stipulated in the declaration (violation of Article 80 of the Labour Code);

Notification of employees of dismissal relating to staff redundancies less than two months prior to the termination of the employment contract (violation of Article 180 of the Labour Code);

Termination of the employment contract with employees who belong to primary trade union organisations without agreement of the corresponding trade union body (violation of Section 1 of Article 374 of the Labour Code);

Issuance of orders by employers on employment in forms not pursuant to standardised forms approved by Resolution No. 1 of the State Committee of the Russian Federation on Statistics dated January 5, 2004, failure to inform employees of orders on employment against signature and failure to familiarise employees with internal employment policy regulations and other local normative acts (violation of Article 68 of the Labour Code);

Inclusion in concluded employment contracts of conditions not pursuant to employment legislation - conditions on penalty of employees for absence from work, disclosure of information constituting a commercial secret, for failure to comply with orders, instructions and guidelines of the employer and immediate superior, for early termination of the employment contract upon transfer to a job in a different organisation (violation of Article 137 of the Labour Code);

Failure to issue employees with employment record cards on the day of termination of the employment contract with them and failure to send employees notification of the necessity either

to present oneself in order to receive an employment record card or to give permission to have it sent by post (violation of Section 4 of Article 84.1 of the Labour Code);

Failure to include circumstances (causes) in a fixed term contract that serve as the grounds for concluding a fixed term contract (violation of Section 2 of Article 57 of the Labour Code);

Conclusion of fixed term contracts without sufficient legal grounds (violation of Section 2 of Article 58 of the Labour Code).

The most widespread violations of employment law regulations, regulating the procedure for remuneration of labour were the following:

Non-payment of workers' salaries (violation of Paragraph 5 of Section 1 of Article 21 of the Labour Code);

Non-payment of the full amount of workers' salaries;

Failure to pay workers' salaries on time (violation of Article 136 of the Labour Code);

Non-payment of dues owed upon dismissal of an employee (violation of Article 140 of the Labour Code);

Failure to pay holiday pay on time (violation of Article 136 of the Labour Code);

Lack of premium pay for work in harmful conditions and in areas with special climatic conditions (violation of Articles 146, 147, 148, 315, 316 & 317 of the Labour Code.

In 2010 the number of violations identified during inspections carried out by state labour inspectors which related to the regulation of the employment of women and individuals with family obligations decreased by 29.7% as compared with 2009.

**Article 1§3** – establish or make provisions for an employment service for all workers free of charge;

1) Please describe the overall regulatory framework. Please specify the nature, causes and scale of reform

In accordance with Article 15 of Law No. 1032-1 of the Russian Federation dated April 19, 1991 On Employment in the Russian Federation was created and is operating the state employment services.

Federal Law No. 199-Φ3 dated December 31, 2005 On the Amendment of Individual Legislative Acts of the Russian Federation related to the Improvement of Delimitation of Authority introduced amendments to Employment Law, in accordance with which from January 1, 2007 the specific power of competence of the Russian Federation applicable to promotion of employment were delegated to the government authorities of the constituent parts of the Russian Federation. The delegated powers of competence included: to monitor the provision of state guarantees in the area of employment; to register citizens in order to help them find employment; to register unemployed citizens; to render state services in accordance with employment legislation; as well as other powers stipulated by Article 7.1 of Employment Law.

Regarding employment issues, the local bodies of the Federal Service for Labour and Employment were reorganised into bodies of the government authorities of the constituent parts of the Russian Federation. The reorganised bodies of all the constituent parts of the Russian Federation were included in the structure of the government authorities of the Russian Federation. State employment institutions (employment centres) were transferred to the area of responsibility of the constituent parts of the Russian Federation as property complexes.

Federal law No. 365-Φ3 dated December 27, 2009 On the Amendment of Individual Legislative Acts of the Russian Federation related to Improvement of the Activities of Government Bodies of the Constituent Parts of the Russian Federation and Local Government Bodies established that the chief executive officer of a constituent part of the Russian Federation (director of a top executive body of the state authorities of a constituent part of the Russian Federation) has the right to approve regulations on the provision of state services pertaining to

the delegated competences, which may not be in conflict with regulatory acts of the Russian Federation and they may not contain additional requirements and limitations as part of the execution of citizens' rights and freedoms, the rights and legal interests of organisations not stipulated by such acts and are developed in relation to the requirements of regulations stipulated by federal authorities of the executive bodies of state services.

The State Employment Service currently includes:

1. The Federal Service for Labour and Employment - a federal executive body, which carries out functions related to monitoring and supervision in the area of labour, employment and alternative civil service; rendering of state services related to promotion of employment and protection against unemployment; labour migration and settlement of collective labour disputes. The number of federal civil servants working for the Russian Federal Service for Employment and Labour Relations is 243, of which 105 are concerned with employment-related issues and protection against unemployment. Pay is determined by legislation on the state civil service.

The Federal Service for Labour and Employment:

Supervises the legal and regulatory framework implemented by the bodies of state authorities of the constituent parts of the Russian Federation, relating to matters of delegated competences with the right to submit obligatory regulations for the repeal of the indicated regulatory acts or for their amendment;

Supervises and monitors the completeness and quality of the execution of delegated competences by the state authorities of the constituent parts of the Russian Federation, including those in the established legislation of the Russian Federation;

Receives and examines statements, letters, complaints and other citizen appeals pertaining to employment law violations by employment agencies and state employment institutions of the constituent parts of the Russian Federation and has the right to carry out inspections, issue obligatory instructions for the elimination of identified violations, and hold liable officials of agencies and state employment institutions of the constituent parts of the Russian Federation;

Coordinates the layout of state employment institutions of the constituent parts of the Russian Federation on the basis of the authority established by the federal body, which executes the task of devising the state policy and legal and regulatory framework pertaining to employment and unemployment as well as the standard for determining the number of given institutions in the constituent parts of the Russian Federation;

Establishes the forms of accountability, the regulations for the scope of accountability as well as for the manner for presenting accountability for the execution of delegated competences;

In cases established by federal laws it prepares and deposes to the federal body of the executive authority the delegated power for devising the state policy and legal and regulatory framework pertaining to employment and unemployment and proposals for the withdrawal of corresponding competences from the government authorities of the constituent parts of the Russian Federation.

2. The government authorities of the constituent parts of the Russian Federation executing the delegated competences of the Russian Federation pertaining to promotion of employment. The number of executive bodies of the constituent parts of the Russian Federation is 82, the number of state employees in the constituent parts of the Russian Federation is 4,430, whose pay is determined by the legislation of civil service including the legislation of the constituent parts of the Russian Federation and across Russia is an average 21,000 roubles.

The government authorities of the constituent parts of the Russian Federation which execute the delegated competences of the Russian Federation pertaining to employment:

Develop and implement regional programmes providing for events which support promotion of employment including citizen engagement programmes for citizens at risk of being dismissed as well as citizens who are particular need of social protection and are experiencing difficulties in finding work;

Organise and implement the activities of the state employment agency on the territory of the corresponding constituent parts of the Russian Federation for the provision of state services and execution of state functions pertaining to employment;

Monitor the provision of state employment guarantees, the employment of individuals with disabilities within the boundaries of the established quota and register individuals with disabilities as unemployed persons;

Provide the Russian Federal Migration Service or her local bodies with findings on the recruitment and use of foreign workers in accordance with the legislation on the legal position of foreign citizens in the Russian Federation.

State employment institutions:

Carry out their activities on the territory of the corresponding local agency:

Carry out the state function of registration of citizens for the purpose of providing help to find suitable employment and registration of unemployed citizens;

Render state services relating to assistance of the population in accordance with employment legislation.

There are 2,147 thousand individual state employment institutions with 41,347 employees. The average salary of an employee is 15,200 roubles.

For the purposes of increasing accessibility to state employment service, state employment institutions use 1,126 mobile (movable) employment centres, especially in rural areas and areas situated far from the regional employment centres.

A mobile employment centre is a specially equipped shuttle with two workstations for employment officers. It is equipped with computers, Internet access, printers and provides citizens looking for work with information, careers advice, psychological help in order to better adapt to the job market. Individuals can also familiarise themselves with the list of job vacancies and perform a job search on the Internet site 'Rabota v Rossii' (Work in Russia). The mobile employment centre is capable of simultaneously serving from 2 to 100 people in a day

Article 9 of Law No. 1032-1 of the Russian Federation dated April 19, 1991 On Employment in the Russian Federation appointed the right:

Of every citizen, including unemployed persons- to free of charge advice and free information and services connected with career planning at employment agencies for the purposes of choosing an area of industry (profession), seeking employment and the opportunity of vocational training;

Of unemployed citizens to receive the following services free of charge: psychological support services, vocational training, retraining and professional development upon referral by employment agencies.

2) Please specify the measures taken (organisational and administrative activities, programmes, work plans, projects etc.) for implementation of the regulatory framework.

In order to improve the quality of provision and accessibility of state services, the creation of convenient conditions for users of state employment services the following administrative procedures, which define the time-frame and operational sequence for the government authorities of the constituent parts of the Russian Federation that exercise the delegated competences of the Russian Federation relating to promotion of employment and state employment institutions, were developed:

The administrative procedure of the Federal Service for Labour and Employment for the provision of state services to help citizens find suitable work, and to help employers select the necessary employees, approved by Order No. 513 of the Ministry of Health and Social Development of the Russian Federation dated July 3, 2006.

The administrative procedure for the provision of state services for the distribution of information on the labour market situation in the constituent parts of the Russian Federation,

approved by Order No. 415 of the Ministry of Health and Social Development of the Russian Federation dated June 13, 2007;

The administrative procedure for the provision of state services for the professional development of citizens in order to choose the area of industry (profession), job placement, vocational training, approved by Order No. 680 of the Ministry of Health and Social Development of the Russian Federation dated November 1, 2007;

The administrative procedure for the provision of state services to provide psychological support to unemployed citizens, approved by Order No. 726 of the Ministry of Health and Social Development of the Russian Federation dated November 27, 2007;

The administrative procedure for the provision of state services for the social integration of unemployment citizens into the labour market, approved by Order No. 400 of the Ministry of Health and Social Development of the Russian Federation dated June 7, 2007;

The administrative procedure for the provision of state services to promote self-employment of unemployed citizens, approved by Order No. 281H of the Ministry of Health and Social Development of the Russian Federation dated June 16, 2008;

The organisational and administrative activities, programmes, work plans and projects implemented by the Federal Service for Labour and Employment are carried out jointly with the Ministry of Health and Social Development of the Russian Federation

Information on work conducted in 2009-2010 can be found in answer to question 1 of Article 1§1.

3) Please give details of indicators (where necessary, approximate) of the efficiency of the work of the Employment Service in practice, and include information on the number of vacancies registered by the Employment Service and the percentage of job-seekers (the number of individuals searching for work through the Employment Service in relation to the number of vacancies)

Employer Demand for Workers as Advertised in State Employment Institutions

	2009	2009	Quarter 1 2011
Employer Demand for workers as advertised in state employment institutions, Thousands of people	1,009	1,120	1,128
Load on the non-employed population per 100 advertised vacancies	241.0	193.9	164.4

Key figures for the work of the bodies of the State Service for Employment of the Population of the Russian Federation for the period 2009-2010 and quarter 1 of 2011

Indicators	2009	2010	Quarter 1 2011
The number of citizens who applied for the provision of state services (individual)	14,392,426	12,116,977	2,514,607
The number of citizens who applied for help to find suitable employment (people) Of which:	8,477,422	6,413,300	1,291,829
Women	4,238,447	3,233,194	640,947
Citizens aged 14-29 years old	3,725,931	3,032,592	529,517
People with disabilities	306,508	268,239	63,739
Found work (gainful employment) (people) Of which:	4,724,400	3,984,019	576,642
Women	2,334,538	1,982,773	291,487
Citizens aged 14-29 years old	2,298,885	2,076,784	258,262
People with disabilities	84,656	87,221	14,178
The number of unemployed citizens registered during the reporting period (people) Of which:	4,561,986	3,539,191	780,463
Women	2,385,876	1,853,903	400,798
Citizens aged 16-29 years old	1,712,100	1,311,191	284,191
People with disabilities	270,483	236,641	53,729
The number of unemployed citizens who were allocated social benefits during the reporting period (people) Of which:	5,062,741	3,985,132	835,960
Received unemployment benefits (people) Of which:	4,561,986	3,539,191	780,463
Women	2,384,633	1,852,437	400,462
Citizens aged 16-29 years old	1,705,259	1,305,772	284,083
People with disabilities	270,227	236,482	53,644
The number of citizens who had received state vocational guidance (people) Of which:	3,908,458	3,746,914	901,475
Unemployed citizens (individual)	2,450,067	2,385,147	606,507
Women	1,375,008	1,309,836	484,379
Citizens aged 14-29 years old	1,991,073	1,853,025	447,561
People with disabilities	158,404	160,487	40,134
The number of unemployed citizens who had received state services relating to psychological support (people) Of which were:	232,001	243,916	64,683
Women	149,019	15,2204	40,216
Citizens aged 16-29 years old	75,720	72,554	19,226
People with disabilities	32,602	33,881	8,515
The number of unemployed citizens referred for vocational training (people), Of which:	452,729	506,940	108,492
Started vocational training (people)	408,014	455,956	91,609

Indicators	2009	2010	Quarter 1 2011
Were women	224,553	242,075	47,855
Were citizens aged 16-29 years	238,623	247,009	48,447
People with disabilities	10,374	11,989	2,446
The number of citizens, referred for paid social work (people):	1,972,985	1,087,600	159,588
Of which were unemployed citizens (people)	1,063,232	827,510	137,431
Of which started voluntary jobs (people)	758,985	604,676	86,037
Finished participation in voluntary jobs	755,811	606,357	46,573
Of which were women	414,449	334,997	27,128
The number of minors aged 14-18 years referred for temporary work placements in their free time (people):	988,188	973,971	71,335
Of which proceeded to temporary jobs (people)	979,041	965,482	67,852
People with disabilities	1,912	1,389	146
Started temporary jobs,	977,947	965,668	54,082
Of which were women	482,275	473,542	25,633
Number of unemployed citizens experiencing difficulties in finding employment, referred for a temporary work placement (people): Of which:	103,560	99,361	20,879
Started temporary work (people)	91,786	84,860	16,792
Citizens aged 16-18 years	8,103	5,538	881
People with disabilities	23,440	24,283	4,841
Completed temporary work,	91,699	85,015	5,544
of which were women	53,314	48,587	3,272
Number of unemployed citizens aged 18 to 20 years from among graduates from elementary and secondary vocational education establishments, referred for temporary work placements (people):	34,440	27,173	2,933
Of which started temporary jobs (people)	31,180	24,804	2,694
Completed temporary jobs,	31,104	25,968	1,075
of which were women	18,540	14,095	625
Number of unemployed citizens who had received services for social adaptation (people) Of which were :	236,127	275,101	68,288
Women	156,375	173,556	43,263
Citizens aged 16-29 years old	95,112	104,149	25,539
People with disabilities	18,613	26,984	5,459
Number of unemployed citizens who had found work (gainful employment) after receiving state services (people)	60,296	78,121	13,396
Number of unemployed citizens who had received state assistance with self-employment (people) Of which were :	221,534	285,506	51,685
Women	107,934	134,090	24,878
Citizens aged 18-29 years old	64,514	84,185	14,855

Indicators	2009	2010	Quarter 1 2011
People with disabilities	10,124	12,251	2,297
Number of citizens registered as individual entrepreneurs (people)	116,098	185,799	12,043

**Article 1§4** – Make provisions to hold the necessary consultations in regard to choosing a profession, training and retraining

Information on the implementation of the given articles can be found in materials on Articles 99, 10§3, 10§4 and 15§1.

## Article 9 - Right to Occupational Guidance

With the aim of effective implementation of the right to occupational guidance, the Parties undertake to establish or maintain as necessary a service that will assist all individuals, including those with disabilities, in addressing issues related to career choice and career development, taking into account the personal qualities and professional abilities of the worker; such assistance should be provided free of charge to both young people, including schoolchildren, as well as adults.

### 1) Please describe the general regulatory and legal basis. Please indicate the nature, causes and extent of reform.

In accordance with Article 43 of the Constitution of the Russian Federation, everyone shall have the right to education. The accessibility and gratuity of pre-school, general secondary and vocational secondary education in public and municipal educational institutions and enterprises shall be guaranteed. Everyone shall have the right to receive on a competitive basis, higher education in a state or municipal educational institution or enterprise.

The citizens' right to occupational guidance is set out in a number of federal laws.

Article 11 of the Federal Law of 24 July 1998, No. 124-ФЗ "On the basic guarantees of children's rights" establishes that the executive bodies of the constituent parts of the Russian Federation carry out activities to provide occupational guidance and professional training for children under the age of 14.

Article 5 of the Federal Law of 24 June 1999 No. 120-ФЗ "On the bases of prevention systems against neglect and offences of minors" establishes that specialized institutions for minors in need of rehabilitation not only maintain those children with full state support, but also contribute to their professional guidance and gaining of a profession qualification.

In accordance with Article 9 of the Federal Law of 24 November 1995 No. 181-ФЗ "On social protection of the disabled in the Russian Federation", occupational guidance, training and education, assistance in gaining employment and occupational adaptation, are part of rehabilitation for persons with disabilities (system and process for a full or partial recovery of the abilities of the disabled to domestic, public and professional activities).

In accordance with article 9 of the law of the Russian Federation of 19 April 1991 № 1032-1 "On employment of the population in the Russian Federation", citizens have the right to receive free information and services related to occupational guidance from employment agencies with the aim of selecting areas of activity (profession), employment and training opportunities.

### 2) Please indicate the measures (organizational and administrative events, programs, work plans, projects etc.) to implement the regulatory and legal basis.

Occupational guidance for children is carried out within the framework of comprehensive education.

According to the Federal State Standard for Basic Comprehensive Education (FSSES), approved by the Russian Ministry for Education and Science by the Order of 17 December 2010 No. 1897, part of the main educational syllabus is the programme for socialization and occupational guidance of students.

The programme of socialisation and occupational guidance for students aimed at preparing them to choose the direction of their professional activity in accordance with personal interests, individual characteristics and abilities to meet the needs of the labour market; students acquire ways and means of finding information related to vocational education and professional

activities, searching for jobs in the labour market and the work of employment services; students develop ideas about the prospects of vocational education and future careers, and obtain certain practical experience of pre-professional activities relevant to their interests and abilities.

During 2011-2012, it is proposed to create conditions for occupational guidance of students via the work of educators, psychologists, social workers, as well as psychological and educational services in all educational institutions; operation with basic enterprises, institutions of professional education and career guidance centres; informing students and their parents (legal guardians) about the peculiarities of various spheres of professional activity, and social and financial elements of various professions, especially local, regional, Russian and international demand for various types of work.

In the development of a model basic educational syllabus for primary and secondary (complete) comprehensive education, syllabi will be designed for socialization and vocational guidance of students.

Model syllabi will include a description of the main activities of educational institutions for occupational guidance of students in classroom and non-classroom time (professional information, diagnosis, consultation, cooperation with organizations and enterprises); forms of individual and group organization of occupational guidance for students in each activity (teaching, research, project work, job fairs, open days, guided tours, subject weeks, contests, competitions); instrumental monitoring of the effectiveness of the educational institution in occupational guidance of schoolchildren.

Occupational guidance and professional training for children is provided in specialized primary vocational schools, secondary vocational education, and extramural schools.

Occupational guidance for adults is conducted by the employment service.

In order to improve the quality of provision and accessibility of state occupational guidance the “Administrative regulations for providing state services for organizing professional orientation of citizens to select areas of activity (occupation), employment and vocational training,” has been developed and approved by the Ministry of Health and Social Development of the Russian Federation from 1 November 2007 No. 680.

3) Please provide statistical data and other information about state expenditure on occupational guidance, the geographical distribution of these services, and institutions providing these services, about the staffing of these institutions and qualifications of the personnel, and the number of persons by sex, age, educational level and occupation.

### Educational institutions of primary vocational education

	2009	2010
<b>Number of educational institutions - total</b>	<b>2,644</b>	<b>2,356</b>
<b>Number of students:</b>		
<b>total, thousands of people</b>	<b>1,035</b>	<b>1,007</b>
<b>people per 10 000 population</b>	<b>73</b>	<b>70</b>
<b>Student intake, thousands</b>	543	609
<b>Skilled workers (employees) trained:</b>		
<b>total, thousands</b>	538	581
<b>people per 10 000 working population</b>	80	86

### Educational institutions of secondary vocational education (at the start of the academic year)

	2009/10	2010/11
<b>Number of educational institutions - total</b>	<b>2,866</b>	<b>2,850</b>
<b>of which:</b>		
<b>state and municipal</b>	<b>2,564</b>	<b>2,586</b>
<b>private</b>	<b>302</b>	<b>264</b>
<b>Number of students:</b>		
<b>total, thousands</b>	<b>2,142</b>	<b>2,126</b>
<b>of whom in educational institutions:</b>		
<b>state and municipal</b>	<b>2,052</b>	<b>2,027</b>
<b>private</b>	<b>90</b>	<b>99</b>
<b>Number of students in educational institutions per 10 000 population</b>	<b>151</b>	<b>149</b>
<b>Number of teachers in educational institutions, thousands</b>	146.2	120
<b>of whom in educational institutions:</b>		
<b>state and municipal</b>	<b>136.3</b>	<b>115.7</b>
<b>private</b>	<b>9.9</b>	<b>4.3</b>

### Admission to educational institutions of secondary vocational education and graduates from secondary vocational education (at the beginning of the academic year)

	2009/10	2010/11
<b>Student intake - total, thousands</b>	<b>694</b>	<b>705</b>
<b>of whom in educational institutions:</b>		
<b>state and municipal</b>	<b>667</b>	<b>672</b>
<b>private</b>	<b>28</b>	<b>34</b>
<b>Specialists trained - total, thousands</b>	<b>631</b>	<b>572</b>
<b>of whom by educational institutions:</b>		
<b>state and municipal</b>	<b>594</b>	<b>536</b>
<b>private</b>	<b>37</b>	<b>36</b>
<b>Graduates of educational institutions per 10 000 employed in the economy, people</b>	<b>94</b>	<b>85</b>
<b>of whom from state and municipal</b>	89	79

Information about availability of public services for citizens of occupational guidance provided  
by state employment service bodies

	2008	2009	2010
Number of people receiving state services of occupational guidance, thousand people	2,843.2	3,908.5	3,746.9
of whom:			
men	1,187.0	1,800.4	1,752.4
women	1,656.2	2,108.0	1,994.5
Number of people aged 14-29 years who received state vocational guidance:	2,437.6	1,991.1	1,853.0
of whom - students from educational institutions	1,446.8	711.3	700.3
Number of disabled people receiving state services of occupational guidance	167.0	158.4	160.5
Number of disabled people receiving state services of occupational guidance	14.8	31.0	42.9
Number of people released from penal institutions in the form of imprisonment who received public service occupational guidance	14.5	19.8	20.2
Number of people who wish to resume work after a long break (more than a year) who received state occupational guidance	612.0	591.4	546.5
Federal spending on occupational guidance, mn rub	124.2	138.6	195.6

In the first quarter of 2011, the number of unemployed people who applied for the provision of public services in occupational guidance totalled 553,200 or 42.8% of the total number of people who applied for assistance in finding suitable work, of whom 296,300 were women.

The number of unemployed people receiving services in occupational guidance totalled 901,500 people, 447,600 of the total number of unemployed people receiving government services or 49.6% were people aged 14-29 years; people categorized as individuals with disabilities: 40,100 or 4.4%; people wishing to resume work after a long break (more than one year): 147,800 people or 16.4% of the total number of unemployed receiving public services.

### **Article 10 – Universal Right to the Appropriate Professional (Employment) Training**

In order to effectively exercise the right to professional (employment) training, the Parties shall:

1. Establish as necessary educational institutions for employment training and training of technical specialists including disabled persons, as approved with employers and employees, and provide them with access to higher vocational education or higher general education based exclusively on their individual capabilities;
2. Establish and sustain the system of practical training, other system-based initiatives aimed at training of young men and women in various professions;
3. Establish as necessary:
  - a. necessary and affordable educational institutions for adult employees;
  - b. special educational institutions for retraining of adult employees which may be necessary due to technological advances or new employment trends;
4. Adopt special measures aimed at retraining of long-term unemployed persons and their inclusion in the manufacturing/production process;
5. Ensure comprehensive use of educational institutions by way of adoption of the following measures:
  - a. Reduction or annulment of tuition;
  - b. Rendering of financial assistance when necessary;
  - c. Inclusion of training time of an employee at the employer's initiative within the respective working time;
  - d. Ensuring by way of necessary supervision and consultations with employers and employees of efficiency of practical training and other initiatives aimed at training of young employees, as well as adequate overall protection of their interests.

**Article 10§1** – Establish as necessary educational institutions for employment training and training of technical specialists including disabled persons, as approved with employers and employees, and provide them with access to higher vocational education or higher general education based exclusively on their individual capabilities;

1) Please describe the general regulatory and legal framework. Please specify the nature, causes, and scale of the reforms undertaken.

The law of the Russian Federation No. 3266-1 “On education” dated July 10, 1992 is the foundation of the regulatory and legal framework for operation and development of the Russian education system.

In accordance with Article 5 of this law, the state guarantees its citizens free and universal access and free-of-charge basis of preschool,- primary general education, basic general education, secondary (full) general education, and primary vocational education, as well as – on competition basis – free-of-charge basis of secondary vocational education, higher vocational education, and post-graduate vocational education in the state-owned and municipal educational institutions in accordance with the federal state educational standards and the federal state requirements.

The state provides its citizens with the right to education by way of setting up educational system and the corresponding social and economic conditions for receiving such education.

In order to exercise the right of citizens who need social support to education, the state assumes full or partial expenses of such persons in the course of their education. The categories of persons entitled to such support, the procedure and amount of such support are established by

the relevant federal laws for the federal state educational institutions, laws of the constituent parts of the Russian Federation relating to educational institutions subordinated to such constituent parts of the Russian Federation, and municipal educational institutions.

The state provides persons with restrictions in physical capabilities, i.e. those having deficiencies (handicaps) in their physical and/or mental development (hereinafter – with restricted health capabilities), with preconditions for receiving education, correction of their developmental disturbances, and social adaptation based on special pedagogic methodologies and approaches.

The education system in the Russian Federation represents a totality of interrelating:

Successive educational programs of various levels and areas, federal state educational standards, and federal state requirements;

Networks of educational institutions and R&D- and scientific institutions which implement them;

Authorities who perform educational administration and institutions and organizations which are subordinated to such authorities;

Associations of legal entities, public and public-private associations which perform educational activities.

In order to expedite and facilitate acquisition of skills and knowledge as require for performance of certain works, group of works, in accordance with Article 21 of the Law on Education of the Russian Federation, a system of professional (employment) training has been set up. This employment training may be obtained in educational institutions, as well as in educational (training) divisions/departments of duly licensed organizations, and within the scope of individual professional trainings rendered by qualified specialists.

The vocational training system consists of four levels:

Basic vocational education;

Secondary vocational education;

Higher vocational education;

Post-graduate vocational education (post-graduate vocational education may be offered by postgraduate schools (postgraduate military courses), residency training and internship training programs set up at educational institutions of higher vocational education, educational institutions of extended vocational education, as well as by duly licensed scientific and research institutions, while in case of assistantship in the said educational institutions, as well as in doctoral training programs set up at the said educational institutions and scientific and research organizations.

In order to ensure continuous advanced training of blue-collar workers and white-collar workers due to constantly upgrading federal and state educational standards there is a system of extended education within each level of vocational training/education.

Legal regulation of relations within higher vocational education and postgraduate vocational education is governed in accordance with the Federal Law No. 125-Φ3 dated August 22, 1996 No. 125-Φ3 “On higher vocational education and postgraduate vocational education,” and other laws and regulatory enactments of the Russian Federation, as well as laws and regulatory enactments of the constituent parts of the Russian Federation and municipal legal enactments.

The state policy for higher vocational education and postgraduate vocational education is based upon the principles determined by the Law of the Russian Federation “On Education,” as well as the principle of continuity of educational process; integration of higher vocational education and postgraduate vocational education of the Russian Federation into the international higher education system, while sustaining the achievements and traditions of the Russian higher education system.

Citizens of the Russian Federation are guaranteed freedom of choice of the form of their higher vocational education and postgraduate vocational education, freedom of choice of educational institutions and specialty (major). Any restrictions as to receiving higher vocational

education and postgraduate vocational education may be established exclusively by the relevant federal laws and only to the extent necessary for protection of morality, health, rights and lawful interests of other persons, as well as provision of national security and defense.

The law on education provides foreign nationals with the right to enter Russian secondary vocational institutions and higher vocational education based on the results of their entrance examinations carried out by the respective educational institutions.

The procedure of enrolling of foreign nationals in duly certified educational institutions of higher vocational education of the Russian Federation is set forth in the Decree of the RF Ministry of Education and Sciences No. 841 dated December 29, 2009.

2) Please specify the measures (organizational and regulatory, programs, action plans, projects, etc.) for implementation of the regulatory and legal framework.

Activities of educational institutions which render vocational education services are based on their respective charters.

The charters are developed in accordance with the following standard provisions:

Standard provision on educational institution of basic vocational education approved by the Decree of the RF Government No. 521 dated July 14, 2008;

Standard provision on educational institution of secondary vocational education approved by the Decree of the RF Government No. 543 dated July 18, 2008;

Standard provision on educational institution of higher vocational education (higher education institution) approved by the Decree of the RF Government No. 71 dated February 14, 2008;

Standard provision on educational institution of extended vocational education (advanced training institution) approved by the Decree of the RF Government No. 610 dated June 26, 1995 (as amended by the Decrees of the RF Government No. 213 dated March 10, 2000, No. 919 dated December 23, 2002, and No. 175 dated March 31, 2003).

The RF Ministry of Education and Science is responsible for approving federal state educational standards, determination of their licensing procedure, and the state certification of educational institutions, as well as establishes forms and procedures of holding annual (final) certification/attestation of students, procedure of enrollment in educational institutions, and exercises other authority as stipulated for by Article 28 of the Law on Education.

According to this Article, associations of employers have the right to partake in the development and implementation of the state policy for vocational education including development of federal state educational standards and development of development of federal state requirements to extended (advanced) vocational educational programs, generation of lists of specialties (majors) of vocational education, and the state certification of vocational educational institutions.

3) Please provide statistical data and other necessary information about the degree and procedure of application of this provision. The main indicators of compliance with this provision: the total state expenditures for professional (employment) training; the number of vocational educational institutions, institutions providing training to technical specialists, as well as the nature of education received by students; the number of instructors/teachers and students.

## Key Indicators of Professional Education

	2008	2009
Number of basic vocational education institutions	2,855	2,658
Number of their students, thousand persons	1,115	1,035
Number of students in basic vocational education institutions per 10,000 residents	79	73
Number of students enrolled in basic vocational education institutions, thousand persons	541	543
Number of qualified blue-collar- and white-collar workers graduated from basic vocational education institutions:		
Total, thousand persons	605	538
per 10,000 actively employed persons, persons	88	80
per 10,000 residents, persons	73	70
Number of instructors/teachers of basic vocational education institutions, thousand persons	33	34.2
Amount of financing of basic vocational education institutions, RUB billion – total	66.9	67.2
Including:		
From budgetary sources	61.2	61.3
From extrabudgetary sources	5.7	5.9
Number of secondary vocational education institutions	2,784	2,866
Including:		
State-owned and municipal institutions	2,535	2,564
Private institutions	249	302
Number of students enrolled in secondary vocational education institutions, thousand persons	2,244	2,142
Including:		
In state-owned and municipal institutions	2,136	2,052
In private institutions	108	90
Number of students in secondary vocational education institutions per 10,000 residents	158	151
Number of students enrolled in secondary vocational education institutions, thousand persons	703	694
Including:		
In state-owned and municipal institutions	670	667
In private institutions	33	28
The ratio of enrollment in secondary vocational education institutions (the ratio of the number of students enrolled in secondary vocational education institutions to the total population aged under 15), percent	48.5	47.8
Number of specialists graduated from secondary vocational education institutions, thousand persons	671	631
Including:		
From state-owned and municipal institutions	632	594
From private institutions	39	37
Number of specialists graduated from secondary vocational education institutions per 10,000 actively employed persons, persons	98	94
The ratio of enrollment in secondary vocational education institutions (the ratio of the number of graduates from secondary vocational education institutions to the total population aged under 18), percent	32.4	34.3
Number of instructors/teachers of secondary vocational state-owned and municipal education institutions, thousand persons	135.4	136.3

Number of higher vocational education institutions	1,134	1,114
Including:		
State-owned and municipal institutions	660	662
Private institutions	474	452
Number of students enrolled in higher vocational education institutions, thousand persons	7,513	7,419
Including:		
In state-owned and municipal institutions	6,215	6,136
In private institutions	1,298	1,283
Number of students in higher vocational education institutions per 10,000 residents	529	523
Number of students enrolled in higher vocational education institutions, thousand persons	1,642	1,544
Including:		
In state-owned and municipal institutions	1,363	1,330
In private institutions	279	215
The ratio of enrollment in higher vocational education institutions (the ratio of the number of students enrolled in higher vocational education institutions to the total population aged under 17), percent	89.2	92.1
Number of specialists graduated from higher vocational education institutions, thousand persons	1,358	1,442
Including:		
From state-owned and municipal institutions	1,125	1,167
From private institutions	233	275
Number of specialists graduated from higher vocational education institutions per 10,000 actively employed persons, persons	198	215
The ratio of enrollment in higher vocational education institutions (the ratio of the number of graduates from higher vocational education institutions to the total population aged under 22), percent	52.8	56.3
Number of higher vocational education teaching staff, thousand persons	404.6	377.8
Including:		
In state-owned and municipal institutions	341.1	342.7
In private institutions	63.5	35.1
Coverage of youth with programs of basic,- secondary,- higher, and postgraduate vocational education (the ratio of the number of students of basic,- secondary,- higher vocational education institutions, postgraduates and doctorates to the total population aged 15-34), percent	24.8	24.6
Education-related expenditures of the consolidated budget of the Russian Federation, RUB billion	1,658.8	1,783.5

Turnout of qualified workers by educational institutions of basic vocational education by profession (thousand persons)

	2008	2009
Total turnout – qualified workers	604.7	537.6
Including by professions:		
Production of ferrous- and non-ferrous metals	1.7	1.5
Chemical production	0.5	0.3
Metal processing	105.6	91.0
Harvesting operations, woodworking, cellulose/pulp production, manufacture of paper and cardboard	17.8	17.5
Production of construction materials	0.5	0.7
Light industry	36.9	33.1
Of which:		
Textiles	0.5	0.4
Clothing manufacture	33.9	30.1
Footwear manufacture	1.1	1.4
Agriculture	56.7	47.9
Construction, installation, and repairs and construction work	78.1	73.0
Transport	70.7	61.6
Communications	3.8	3.0
Public catering, commerce, and production of foodstuffs	88.1	78.4
Services	16.3	16.0
Total for all economic activities	58.3	52.6

Turnout by the state-owned and municipal educational institutions of secondary vocational education by specialty (major) group (thousand persons)

	2008	2009
Total turnout	631.7	593.9
Including by group of majors:		
Natural sciences	0.4	0.4
Humanities	51.8	47.6
Social sciences	1.1	1.2
Education and pedagogics	53.6	50.2
Healthcare	63.5	64.1
Culture and arts	18.6	17.7
Economics and management	159.8	143.7
Information security	0.3	0.3
Services	11.3	12.0
Agriculture and fisheries	24.7	21.8
Geodesics and land development	2.9	2.8
Geology, exploration, and development of mineral resources	7.3	7.8
Power industry, energy machine building, and electric engineering	19.1	18.4
Metallurgy, machine building, and materials processing	28.8	26.8
Aviation, aerospace equipment and machinery	2.1	2.2
Nautical equipment and machinery	3.7	3.5
Transport vehicles	53.4	50.8
Instrument engineering and optical devices and machinery	1.6	1.5

Electronics, radio equipment and telecommunications	11.9	10.8
Automatic equipment and management	7.2	6.9
Information science and computer science	32.4	32.5
Chemical technologies and biotechnologies	5.0	4.3
Reproduction and processing of wood resources	6.1	5.9
Foodstuff production technology and consumer goods processing	26.0	24.6
Architecture and construction	36.0	33.5
Life safety, environmental engineering, and environmental protection	2.9	2.6

Turnout by the state and municipal educational institutions of higher vocational education by specialty  
(major) and training area  
(thousand persons)

	2008	2009
Total turnout	1,125.3	1,166.9
Including:		
By group of majors:	1,051.5	1,083.1
Physics and mathematical sciences	11.3	10.8
Natural sciences	14.2	13.7
Humanities	172.8	178.8
Social sciences	15.7	16.6
Education and pedagogics	125.6	123.3
Healthcare	32.1	33.0
Culture and arts	16.8	18.2
Economics and management	359.7	374.9
Information security	2.8	3.3
Services	11.6	13.5
Agriculture and fisheries	35.9	36.3
Geodesics and land development	4.3	4.7
Geology, exploration, and development of mineral resources	13.3	13.9
Power industry, energy machine building, and electric engineering	24.6	24.3
Metallurgy, machine building, and materials processing	25.7	25.6
Aviation, aerospace equipment and machinery	5.2	5.4
Weaponry and weapon systems	0.6	0.6
Nautical equipment and machinery	4.1	4.1
Transport vehicles	33.4	34.2
Instrument engineering and optical devices and machinery	7.5	7.7
Electronics, radio equipment and telecommunications	16.1	15.5
Automatic equipment and management	13.6	14.7
Information science and computer science	21.1	22.6
Chemical technologies and biotechnologies	11.3	11.2
Reproduction and processing of timber resources	6.7	6.3
Foodstuff production technology and consumer goods processing	19.5	19.8
Architecture and construction	34.2	37.8
Life safety, environmental engineering, and environmental protection	11.7	12.6
By areas:	73.7	83.7
Physics and mathematical sciences	6.1	6.3
Natural sciences	3.3	3.6
Humanities	10.6	12.5

Education and pedagogics	6.1	7.9
Economics and management	16.4	19.3
Energy, energy machine building, and electric engineering	4.9	5.3
Metallurgy, machine building, and materials processing	3.9	4.2

**Article 10§2** – Establish and sustain a system for practical training and system-based initiatives aimed at training of young men and women in various professions;

1) Please describe the overall regulatory and legal framework. Please specify the nature, causes, and scale of the reforms undertaken.

In accordance with Article 7 of the Russian Federation law No. 3266-1 On Education dated July 10, 1992, federal state educational standards are established in the Russian Federation. These standards represent the totality of binding requirements to educational programs of basic,- general,- secondary (full),- and higher vocational education by the duly certified educational institutions.

The state educational standards include requirements to:

The structure of main/core educational programs including requirements to the ratio between the parts of the main educational program and their content, as well as the ratio between the obligatory part of the main educational program and the section formed by educational organisations;

The conditions for main educational programs including staffing, financial, material and technical conditions, as well as any other conditions;

The results of completing the main educational programs.

In accordance with Article 9 of the law On Education the curriculum at a certain level and/or in a certain area shall be defined in educational programs.

The following educational programs are used in Russia:

General education programs (main and additional/extended including additional preprofessional general education programs in arts);

Professional (main and additional/extended);

Employment training.

The main professional programs include:

Basic vocational education;

Secondary vocational education;

Higher vocational education (bachelor's, master's programs);

Postgraduate vocational education.

The main vocational educational programs for basic, secondary, and higher vocational education ensure that federal state educational standards are implemented taking into account types of educational institutions, educational requirements and the needs of students. These programs include a curriculum, work programs for training courses, subjects and disciplines (modules) and other materials that ensure a good standard of education, as well as programs for work placements.

The educational programs also include curriculum schedule and methodological materials which ensure implementation of the corresponding educational technology.

The legislative regulations for students, as well as guarantees and compensations for persons that combine their studies with work, are set forth in Article 32 and Article 26 of the Labor Code of the Russian Federation.

According to Article 198 of the Labor Code of the Russian Federation, an employer – legal entity (organization) – has the right to enter into a vocational training agreement with an unemployed individual, or, if the individual is already employed at the organisation, a vocational training or retraining agreement on a part-time or full-time basis.

An apprenticeship contract with the respective employee of that organization is supplementary to the employment contract.

The time allocated each week for an apprenticeship must not exceed the guideline working hours for employees of the respective age, profession and specialty when carrying out such work.

Employees on an apprenticeship in an organization – upon agreement with the employer – may be fully relieved from their employment duties or they may work part-time.

In the course of an apprenticeship contract employees may not be ordered to work overtime, they may not be sent on business trips which are not related with the respective apprenticeship (Article 203 of the Labor Code).

In the course of apprenticeship, apprentices are entitled to a stipend, the size of which is determined by the relevant apprenticeship contract and which depends on the profession, specialty, and qualification sought, but it may not be lower than the minimum wage as set forth by the corresponding federal law.

Any work performed during practical training shall be paid based on the duly established rates (Article 204 of the Labor Code).

2) Please specify the measures undertaken (organizational and regulatory, programs, action plans, projects, etc.) for implementation of the regulatory and legal framework.

In accordance with the Regulations for development and approval of the federal state educational standards as approved by the Decree of the RF Government No. 142 dated February 24, 2009 No. 142, the standards are developed pursuant to educational levels, professions, training areas, and specialties (majors).

The RF Ministry of Education and Sciences is responsible for the approval and implementation of such standards.

The federal state educational standards for basic,- secondary,- and higher vocational education, which are the totality of binding requirements for vocational education programs, must be included in the curriculum called “practical training (employment training)” specifying the standard term allocated for such a practical training.

A practical training (practice) is a sort of educational classes/studies which ensure professional guidance/training of students. The following types of practices are stipulated by the main/core vocational education programs: Practical training (employment training) and on-the-job training (externship).

Practical training (employment training) and on-the-job training (externship) are performed by educational institutions in the course of teaching professional/vocational competencies within the scope of the relevant vocational modules, and they may be implemented both in the concentrated form during several periods, and in a spaced manner by way alternating with theoretical knowledge within the scope of the relevant vocational modules.

The goals and objectives, programs and reporting forms are determined by educational institutions in relation to each type of practical training.

Practical training must be performed in organizations, the core activities of which correspond to the training profile of students undergoing such practical training.

Appraisal (certification) based on the results of employment training is performed taking into account (or based on) the results validated by the corresponding organizations.

The need for practical (employment) training is also regulated in the following regulatory enactments:

Standard provision on basic vocational education institution as approved by the Decree of the RF Government No. 521 dated July 14, 2008;

Standard provision on secondary vocational education institution (secondary special education institution) as approved by the Decree of the RF Government No. 543 dated July 18, 2008;

Standard provision on higher vocational education institution (higher education institution) as approved by the Decree of the RF Government No. 71 dated February 14, 2008.

The procedure of setting up and conducting of practical training (on-the-job training) and employment training for vocational students is set forth in the following Decrees of the RF Ministry of Education and Sciences No. 674 dated November 26, 2009 (for basic vocational education), No. 673 dated November 26, 2009 (for secondary vocational education), and No. 1154 dated March 25, 2003 (for higher vocational education).

3) Please provide statistical data and other necessary information about the degree and procedure of application of this provision. The main indicators of compliance with this provision: Setting up practical training programs and other initiatives related with youth training; the number of young people that applied for such training opportunities; the procedure of classification of employment training initiatives depending on professional activity; the duration of practical training programs; the total scope of the state expenditures (including private sector spending, if possible) for the aforesaid training programs and availability of jobs for the relevant job seekers; equality of access to education for the stakeholders including citizens of other participating countries.

All students of basic,- secondary,- and higher vocational education are obligated to take practical training programs.

The statistical data on the number of students in these educational institutions are set forth in the response to Question 3 pertaining to Article 10§1.

The procedure of classification of employment training initiatives depending on professional activity and duration of practical training programs are determined in each of the main/core vocational education programs depending on the type, level of education, profession, training area, and specialty (major).

**Article 10§3** – To create if and when necessary:

- a. Necessary and affordable educational institutions for adult employees;
- b. Special educational institutions for retraining of adult employees due to any technological advances or new trends on job markets;

1) Please describe the general regulatory and legal framework. Please specify the nature, causes, and scale of the reforms undertaken.

In accordance with Article 9 of the RF Law 3266-1 “On Education” dated July 10, 1992, vocational education programs (main and additional cones) are being implemented in the Russian Federation, as well as employment training programs.

The main vocational education programs are aimed at solving issues of continuous improvement of professional and general education levels, training of specialists of the corresponding qualification.

Postgraduate vocational education programs are included in the main vocational education programs.

Continuous advancement of qualification of employees, workers, specialists due to consistent advancement of the federal state educational standards based on the implementation of vocational education programs is ensured by extended vocational education institutions (advanced training institutions).

Advanced training institutions include:

Academies (except for academies which are higher vocational education institutions);

Advanced training institutions – industrial, inter-industry, and regional;

Advanced training courses (schools, centers), employment service centers.

Academies are the leading scientific and training-resource centers of extended vocational education – primarily focusing on one area of knowledge. Academies normally train/teach highest qualification specialists in fundamental and applied scientific research and render necessary consulting, scientific and methodological and information-analytical assistance to other advanced training institutions.

Advanced training institutions are educational institutions for advancement of qualification and professional retraining of industry specialists (a number of industries) or a region, the activities of which are aimed at meeting the demands of consumers of enterprises (associations), entities and organizations in advancing qualification and professional retraining of their specialists, performance of scientific research, rendering of consulting and methodological assistance.

Advanced training institutions also include the following:

Training centers for professional retraining, advanced training and employment for those transferred to the reserve of the Armed Forces of the Russian Federation, servicemen and those discharged from military service. These centers provide professional retraining in civil professions for this category of people, as well as for their family members.

Inter-industry regional centers for advanced training and professional retraining of specialists. They are coordination-based and aimed at satisfying regional demands for the advanced training of specialists and the scientific and methodological and information support of educational institutions located in the region regardless of their departmental affiliation.

Advanced training courses (schools and centers) and employment service centers which are advanced training institutions offering professional training in new skills and practical knowledge which may be required of specialists, unemployed persons, unoccupied persons, as well as employees made redundant at enterprises (associations), companies and institutions.

In accordance with Article 197 of the Labor Code of the Russian Federation, an employer is responsible for the professional training, retraining or advanced training of their employees. They are also responsible for on-the-job training in a second profession, including if basic, secondary, or higher vocational education is required.

The terms and conditions for professional training, retraining, and advanced training of employees are determined by collective agreements, any other agreements, and employment contracts.

The types of professional training, retraining, and advanced training of employees and the list of required professions and specialties are determined by the employer with regard to the opinion of the employees' representative body.

In a number of cases stipulated in federal laws and other regulatory acts it is compulsory for an employer to provide advanced training to employees (if this is required for employees to conduct certain work or services).

Article 197 of the Labor Code of the Russian Federation stipulates that employees are entitled to receive vocational (professional) training, retraining, and advanced training including training in new professions and specialties.

This is implemented by the employer and employee entering into a supplementary agreement.

Employers must provide the appropriate conditions for employees undergoing professional training to combine work and training. The employer must also ensure the guarantees stipulated in the Labor Code of the Russian Federation and any other regulatory acts, collective agreements, other agreements, and employment contracts.

Employees sent for training by their employer, or employees who independently attend any duly certified secondary or higher vocational education institution, regardless of its organizational and legal form, on a full-time or part-time (evening) basis, and who are studying successfully at such educational institutions, as well as in basic vocational education institutions or evening (shift-type) general education institutions, are entitled to additional paid leave in

order to sit entrance, intermediate and final examinations, prepare for and present their final thesis etc.

Guarantees and compensation for employees combining work and studies in higher vocational education institutions without state certification are validated by the respective collective agreement or employment agreement.

Guarantees and compensation for employees combining work and studies are given if the required level of education is attained at the first attempt. The said guarantees and compensations may also be extended to employees that already have vocational education of the corresponding level and aimed at receiving education at the expense of the employer in accordance with the corresponding employment contract or education contract entered into by and between the employee and the employer in writing (Article 177 of the Labor Code).

2) Please specify the measures (organizational and regulatory, programs, action plans, projects, etc.) for implementation of the regulatory and legal framework.

Activities of advanced training institutions are performed pursuant to their charters.

The charters are developed based on the Standard provision on extended vocational education institution (advanced training institution) as approved by the Decree No. 610 of the RF Government dated July 26, 1995.

Advanced training institutions perform the following types of extended vocational education: Advanced training, on-the-job training, and professional retraining.

The purpose of advanced training is to update theoretical and practical knowledge and skills due to increased requirements to the level of qualification and the need to master new and advanced methods of solving professional issues/problems.

Advancement of qualification is performed as necessary but at least once per 5 years throughout the entire employment period. The frequency of such advanced training sessions shall be determined by the employer.

Advanced training includes the following types of training:

Short-term (not less than 72 hours) theme-based training in issues of specific production/manufacturing performed on-site. Such short-term advanced training is normally concluded by taking the corresponding final examination, pass/fail examination or (term) paper protection;

Theme-based and problem-solving seminars (72 hours to 100 hours) are focused on scientific and technical, technological, social and economic, and other issues which occur at the regional, company (association) or organization level;

Long-term (over 100 hours) – specialist training in advanced training institutions for in-depth studies of scientific, technical, technological, socio-economic, and other issues tailored to the relevant professional activities.

The main purpose of on-the-job training is to form and practice professional skills and knowledge received in the course of theoretical studies. On-the-job trainings are also performed in order to study best practices, acquire professional and organizational skills to perform the current job duties or in order to take on higher assignments.

On-the-job training may be both a standalone type of extended vocational education and one of the sections within an advanced training curriculum.

On-the-job training may be performed both in the Russian Federation and abroad at companies/enterprises (associations), leading R&D centers, educational institutions, consulting companies, and federal-level executive authorities. The length of on-the-job training is determined by the employer that sends their employee for such training, based on the training's objectives and as approved by the management of a company (association), enterprise or organization hosting such on-the-job training.

The purpose of professional retraining of specialists is to acquire additional/extended knowledge and skills relating to educational programs which provide for studying specific

disciplines, sections of sciences, technical and technologies subjects which are necessary for the performance by students of the new professional activities. Based on the results of such professional retraining specialists are awarded special state-certified diplomas which certify their right (qualification) to perform professional activities in the specific field. The area/theme of professional retraining is determined by the customer as agreed by the advanced training institution.

Professional retraining is also performed in order to expand/enhance qualification of a specialist in order to adapt it to the new economic and social conditions and performance of the new professional activity including the influence of any international requirements and standards.

The procedure and conditions of retraining of specialists are set forth in the Decree of the RF Ministry of Education and Science No. 2571 dated September 6, 2000 No. 2571.

Decree of the RF Ministry of Education and Science No. 1221 dated June 18, 1997 establishes requirements to the contents of extended professional (vocational) programs.

3) Please provide statistical data and other necessary information about the degree and procedure of application of this provision. The main indicators of compliance with this provision: Availability of educational institutions for training and retraining of adult employees, in particular, initiatives aimed at retraining of dismissed/terminated employees and employees that are under risk of economic changes and technological advancement; the approximate number of adult employees that took part in such training and retraining initiatives; the level of activity – i.e. the ratio between the year-average number of previously unemployed persons and the persons engaged in active initiatives divided by the number of registered unemployed persons and persons engaged in such active initiatives; equal opportunities for nonresidents in issues relating to provision of access to continuous vocational training.

In 2010 4,996.8 thousand persons underwent employment training.

Breakdown of the total number of persons that underwent training by type (area) of training

	Thousand persons
Additional (extended) vocational education received	2,155.4
Professional training or extended professional training received	1,228.6
Purpose courses taken	1,787.3

Breakdown of the total number of persons trained by form of training (education)

	Thousand persons
Off-the-job training	1,999.6
On-the-job training	2,078.3
Mixed (off- and on-the-job) training	1,106.4

Breakdown of the total number of persons trained by gender and category

	Thousand persons
Women	2,166.1
Men	2,830.7
Disabled persons	23.9
Persons under risk of dismissal	54.4

## Breakdown of the total number of persons trained by age groups

	Thousand persons
Under 25	486.4
25-30	940.4
31-35	1,938.9
Over 45	1,631.2

In 29 constituent parts of the Russian Federation employment offices established 39 operational extended education institutions. The main objective for creating these educational institutions was ensuring professional training, retraining, and advanced training of unemployed persons in professions and trades which enjoy sustainable demand on the job markets of constituent parts of the Russian Federation. The available modern material and technical facilities, the use of interactive training methodologies ensure high level of professional (vocational) training of unemployed persons sent for such trainings by employment offices. The employment rate of unemployed persons that underwent professional training in extended education institutions supervised by employment offices of constituent parts of the Russian Federation is over 90%.

The statistical data about the number of unemployed persons sent for vocational training to educational institutions managed by the relevant employment offices are shown in Table “Key performance indicators of the state employment service of the Russian Federation in 2009-2010, Q1 2011” (Answer to question 3 pertaining to Article 1§3).

**Article 10§4** – To take special measures for retraining and inclusion in the production process of long-term unemployed persons;

1) Please describe the general regulatory and legal framework. Please specify the nature, causes, and scale of the reforms undertaken.

Activities of employment offices including those relating to promotion of long-term unemployed persons are governed by the following regulatory enactments:

Law of the Russian Federation No. 1032-1 dated April 19, 1991 “On Employment of citizens the Russian Federation”;

The Federal Law No. 210-Φ3 dated July 27, 2010 “On provision of the state and municipal services”;

Decree of the RF Ministry of Labor No. 3 dated January 13, 2000 and the Decree of the RF Ministry of Education No. 1 dated January 13, 2000 “On approval of the Provision on setting up professional training, retraining, and advanced training of unemployed persons and unoccupied population”;

Decree of the Ministry of Health and Social Development of the Russian Federation No. 485 dated July 29, 2004 “On approval of the Provision on the procedure of financing employment promotion and social support of unemployed persons”;

Decree of the Ministry of Health and Social Development of the Russian Federation No. 847H dated September 30, 2010 “On approval of the Procedure of registration of unemployed persons”;

Decree of the Ministry of Health and Social Development of the Russian Federation No. 513 dated July 3, 2006 “On approval of the Administrative regulations for the Federal Labor and Occupation Service for provision of the state service of promotion of job search, and assistance to employers in terms of finding appropriate employees”;

Decree of the Ministry of Health and Social Development of the Russian Federation No. 819 dated November 30, 2006 “On approval of the Administrative regulations for the Federal Labor and Occupation Service for provision of the state service of social payments (benefits) to the duly registered unemployed persons”;

Decree of the Ministry of Health and Social Development of the Russian Federation No. 680 dated November 1, 2007 “On approval of the Administrative regulations for provision of the state service of occupational training of persons and assistance with selection of profession (activity), job placement, and professional training”;

Decree of the Ministry of Health and Social Development of the Russian Federation No. 400 dated June 7, 2007 “On approval of the Administrative regulations for provision of the state service of social adaptation of unemployed persons on the job market.”

2) Please specify the measures (organizational and regulatory, programs, action plans, projects, etc.) for implementation of the regulatory and legal framework.

3) Please provide statistical data and other necessary information about the degree and procedure of application of this provision. The main indicators of compliance with this provision: Nature of training and retraining initiatives, the number of people that were trained and the impact of such measures on reduction of long-term unemployment; equal relation to persons that are not citizens of this country pertaining to issues of granting access to training and retraining of long-term unemployed persons.

Long-term unemployed persons are a certain subcategory within the category of persons that apply for assistance in job search to employment offices. They are special in that the long period of unemployment often leads to psycho-emotional issues and problems relating with difficulties in finding a job, deterioration of a person’s psychological condition during the unemployment period aggravated by the lack of appropriate job search skills.

Employment offices help resolve these problems of long-term unemployed persons by way of rendering the state-sponsored services of job placement promotion. Special measures of acceleration of integration of such long-term unemployed persons in labor activities, primarily, include promotion of job search, professional training in order to select an appropriate profession, employment, vocational education, pedagogic support, and social adaptation on the job market.

In 2010, 1,312.7 thousand persons applied to employment offices after long-term unemployment (over one year) (hereinafter – long-term unemployed persons), which is 20% of the total number of persons that applied to employment offices for job search assistance (in 2009 – 1 611,1 thousand persons or 19.0%, in 2008 – 1,346.5 thousand persons or 22.3%), of them 629.58 thousand persons were employed or 15.8% (in 2009 – 764.3 thousand persons or 16.2%, in 2008 – 756.8 thousand persons or 19.6%).

Among unemployed persons registered with employment offices, the share of long-term unemployed persons as of the end of 2010 amounted to 23.3% or 370.7 thousand persons (in 2009 – 23.0% or 493.2 thousand persons, in 2008 – 35.9% or 546.1 thousand persons).

In 2010, the average duration of unemployment was 5.5 months (in 2009 – 5.5 months, in 2008 - 5.3 months), in 2010 the share of unemployed persons registered with employment offices for over one (1) year among registered unemployed persons was reduced as compared with previous years to 219.6 thousand persons or 14.1% (in 2009 – 368.0 thousand persons or 17.1%, in 2008 – 219.6 thousand persons or 14.4%).

Long-term unemployed persons – in case they lost their ability in their last occupation (profession) or lacked the necessary professional qualification – are offered the state service of professional training with the purpose of selecting appropriate activity (profession), job placement, and employment training. Recipients of such state service include citizens of the Russian Federation, foreign nationals, and stateless persons including unemployed persons.

In 2010, 546.5 thousand long-term unemployed persons received professional training or 14.6% of the number of persons that received this service (in 2009 – 591.4 thousand persons or 15.1%, in 2008 – 612.0 thousand persons or 14.2%).

In order to enhance motivation to work, mitigate psychological issues which hamper professional and social self-fulfillment of long-term unemployed persons, the state renders a service of psychological support to unemployed persons. Recipients of this service include persons that are duly registered as unemployed persons.

In 2010, 47.1 thousand long-term unemployed persons received psychological assistance or 19.3% of the number of unemployed persons that were rendered this service (in 2009 – 48.3 thousand unemployed persons or 20.8%, в 2008 – 54.6 thousand unemployed persons or 27.0%).

The state service aimed at social adaptation of unemployed persons on the job market helps master the following skills: active and independent job search, preparation of a resume, conducting a successful interview with potential employers, self-presentations, mitigating the effects of long-term unemployment. Recipients of this service include persons that are duly registered as unemployed.

In 2010, the service of social adaptation on the job market was rendered to 47.1 thousand long-term unemployed persons or 17.1% (in 2009 – 55.3 thousand unemployed persons or 23.4%, in 2008 – 47.2 thousand unemployed persons or 24.0%).

Some of the most critical ways to increase competitiveness of long-term unemployed persons include advancement of their qualification, training in professions which are sustainably in demand on the job market. Employment offices provide unemployed persons with free vocational training, retraining, and advanced training opportunities along with stipends paid in the course of such studies (hereinafter – employment training for unemployed persons).

Unemployed persons – upon expiry of six months of unemployment – in accordance with Article 22 of the Employment Law have a preemptive right to vocational education.

In 2010, 95.2 thousand long-term unemployed persons or 18.8% of the number of long-term unemployed persons that were rendered this state service (in 2009 – 90.7 thousand unemployed persons or 20.0%, in 2008 – 56.4 thousand unemployed persons or 20.5%) received vocational education as commanded by their respective employment offices.

In order to provide temporary employment including to long-term unemployed persons, employment service bodies set up various paid public (civil) works.

According to Article 24 of the Employment Law, unemployed persons that were registered with employment offices for over six months enjoy preemptive right to partaking in such public works. Recipients of the state service include persons that are registered with employment offices as both job seekers and unemployed.

The share of long-term unemployed persons that took part in paid public works in 2010 amounted to 297.6 thousand persons or 27.4% of the number of persons that took part in paid public works (in 2009 – 451.2 thousand persons or 22.9%, in 2008 – 207.7 thousand persons or 37.3%).

Promotion of self-employment by employment offices is extremely relevant and important in terms of solving employment issues, especially in areas with difficult job markets (i.e. where jobs are particularly hard to find). As part of the self-employment service rendered by the state employment authorities, unemployed persons learn entrepreneurial skills, learn to make a business plan, they are also assisted in setting up self-employment, advised on the state registration as a legal entity (an individual entrepreneur) or a farm.

In 2010 as compared with the previous years, the number of long-term unemployed persons that were rendered this state service amounted to 86.9 thousand persons or 30.4% of the number of unemployed persons that were rendered this service (in 2009 – 61.5 thousand persons or 27.8%, in 2008 – 22.9 thousand persons or 24.9%).

Within the scope of implementation of regional programs aimed at mitigation of social unrest on job markets of constituent parts of the Russian Federation, financial assistance in the amount of RUB 58,800 has been rendered since 2010 to unemployed persons that established

their private business. These funds are targeted at purchasing the necessary equipment, tools, stationery, and other expenses relating to setting up own business. This money is allocated to persons that created new jobs for unemployed persons – RUB 58,800 per each unemployed person thus hired.

In 2010, 199.0 thousand unemployed persons established their businesses (registered their individual entrepreneurship, farm, or legal entity). They created additional 67.9 thousand jobs for unemployed persons including 11.4 thousand new jobs were created by persons that established their businesses in 2009. In 2009, 124.4 thousand persons established their private enterprises; it is forecasted that in 2011 about 170 thousand persons will establish their businesses under the auspices of this initiative. Long-term unemployed persons are the most active participants of such initiatives.

## **Article 15 – The Right of Disabled Persons to Independence, Social Adaptation, and Participation in Social Life**

In order to ensure effective exercise by disabled persons of their right to independence, social adaptation, and participation in social life, regardless of their age and nature of occurrence of their disability, the Parties shall undertake the following:

1. Take necessary measures in order to professionally train and position disabled persons and to give them the possibility to undergo professional training and education, wherever possible, under the auspices of the general program, and beyond such program – through specialized state-owned and private institutions;
2. Promote employment of persons with disabilities by way of various encouragement/incentives extended to employers hiring such disabled persons, and to employ them in ordinary production/manufacturing environment, as well as adjust work conditions to the needs of disabled persons, and – wherever it is not feasible – create sheltered employment conditions for disabled persons depending on the degree/level of their disability. In certain cases such measures may require appealing to special employment and support services for the disabled;

**Article 15§1** – To take necessary measures in order to professionally train/guide persons with disabilities and to provide them with opportunities for professional training and education wherever possible under the general program, and where it is impossible – through specialized state-owned and private institutions;

1) Please describe the general regulatory and legal framework. We also request that you specify the nature, causes, and scale of the reforms.

The current legislation of the Russian Federation, in the part of determination of rights and freedoms of disabled persons, is based upon the principles and standards set forth by the Universal Declaration of Human Rights, the Declaration of Rights of Disabled Persons (1975), the Global Program for Disabled Persons (1982), and Standard Regulations for Ensuring Equal Opportunities for Disabled Persons (1993).

In accordance with Article 43 of the Constitution of the Russian Federation, every citizen has the right to education. Each citizen is guaranteed universal access and free pre-school, secondary, and secondary vocational education in the state-owned or municipal educational institutions and at enterprises.

Article 5 of the Federal Law No. 3266-1 dated July 10, 1992 “On Education” (hereinafter – the Federal Law “On Education”) determines that:

Citizens of the Russian Federation are guaranteed the opportunity of getting education regardless of gender, race, nationality, language, origin, place of residence, religious beliefs, convictions, affiliation with public organizations (associations), age, health condition, social-, property- and official capacity, and record of convictions. Any restrictions as to the rights of citizens to professional (vocational) education due to gender, age, health conditions, record of convictions may only be established by law;

The state establishes conditions for citizens with limited physical abilities, i.e. those with physical and/or mental deficiencies/disorders, for education, correction of their disturbance of development, and social adaptation based on special pedagogical approaches and methodologies.

The guarantees of such right to education for children with disabilities have also been established by the Federal Law No. 181-Φ3 dated November 24, 1995 “On social protection of handicapped in the Russian Federation” (hereinafter – the Federal Law “On social protection of disabled persons in the Russian Federation”).

According to this law, educational institutions together with social protection authorities and healthcare authorities are responsible for ensuring pre-school, out-of-school education and care of children with disabilities, as well as ensure secondary education, secondary vocational

education, and higher vocational education of such children with disabilities in accordance with individual rehabilitation programs developed for each disabled person.

Children with disabilities living in residential social care institutions including foster homes are entitled to education and professional (vocational) education in accordance with their physical and mental capabilities. This right is exercised by way of setting up special educational institutions (classes and groups) in stationary social care institutions and labor training workshops in the order as stipulated for by the current legislation.

In case it is impossible to ensure upbringing and education of children with disabilities in any general or special pre-school and general education institutions, educational authorities and educational institutions must ensure home-based education for children with disabilities – upon consent of their parents – using either a general education program or individual (tailored) educational program.

The procedure of home-based teaching of children with disabilities, as well as the sizes of compensation of costs incurred by their parents for such initiatives are determined by the laws or any other regulatory enactments of subjects of the Russian Federation and are deemed to be expenditure obligations of budgets of the RF subjects.

2) Please specify measures (organizational and regulatory initiatives, programs, action plans, projects, etc.) aimed to implement the regulatory and legal framework.

Activities aimed at provision of educational opportunities to disabled persons are performed by educational institutions pursuant to regulatory and legal acts, recommendations and programs adopted by the RF Government and the Ministry of Education and Science of the Russian Federation.

The standard provision on general education institutions (as approved by the Decree of the RF Government No. 196 dated March 19, 2001) stipulates for the possibility of opening special (correctional) classes for students with physical and mental disabilities in general education institutions taking into account the relevant interests of their parents (legal agents/representatives).

Early detection of deviation in children's development, provision of timely medical care in preschool age are deemed to be priorities for working with children with limited capabilities including children with disabilities.

Some 1,400 psychological-medical-pedagogical committees (hereinafter – PMPC) perform this work at regional and municipal levels. The Center for early diagnostics and special care for children with detected developmental deviations provides methodological support of these activities. This center was established on the basis of the Institute of correctional pedagogy at the Russian Academy of Education.

The main functions of PMPC include detection/identification of children with disabilities and/or behavioral deviations, their complex examination, and drafting of recommendation for rendering psychological-medical-pedagogic assistance to such children and setting up their education and upbringing process.

The federal state standards for primary and secondary education approved by the Ministry of Education and Science of the Russian Federation fix the need to develop and implement by educational institutions the correctional programs aimed at ensuring correction of deficiencies in the course of education and development of disabled students and rendering of assistance to such students in mastering their educational programs. This program must provide for special conditions for teaching and upbringing of such students, as well as a system of comprehensive psychological-medical-pedagogic support by their respective educational institutions.

In 2008, the RF Ministry of Education and Science developed and submitted to the constituent parts of the Russian Federation its recommendations for establishment of conditions for teaching of children with limited capabilities and children with disabilities. These recommendations contain provisions relating with integration of children with physical or mental

disabilities in ordinary educational environment.

Setting up education process for disabled children in ordinary educational institutions, primarily at their place of residence, enables to:

Avoid placement of children in foster homes (boarding institutions) and creates possibilities for their placement in ordinary families;

Ensure their regular interaction/communication with healthy/upstanding children;

Promote tolerance towards the issues of disabled persons and effective solution of issues of their integration within society.

The National educational initiative “Our New School” approved by the RF President in February 2011 provides for establishment in each educational institution of a universal barrier-free environment which enables to ensure full-fledged integration of children with disabilities.

Such environment provides for:

Establishment in an educational institution of material and technical conditions for free access and education of disabled children;

Use of special educational programs and educational methods, special tutorials and school/text books;

Complex psychological-medical-pedagogic support of children with disabilities in the educational process;

Special training of instructors/teachers.

In order to render support to the RF regions in solving this issue, a state program “Accessible Environment” was adopted for 2011-2015 by Decree of the RF Government No. 175 dated March 17, 2011. Under the auspices of this program a network of educational institutions will be established in the constituent parts of the RF in order to implement general educational programs ensuing co-education of children with disabilities and persons without developmental disorders.

Documents developed by the RF Ministry of Education and Science stipulate that persons with disabilities have the right of choosing the form of the state (final) attestation (the state final examinations or the Unified State Examination) and entering a higher educational institution or a vocational educational institution (based on the results of the Unified State Examination and otherwise – based on the results of traditional entrance exams). Educational institutions must create special conditions for passing of the corresponding entrance examinations taking into account the relevant specificity of psychophysical development, individual capabilities and health conditions including capability of unrestricted access of graduates (entrants) to lecture rooms and classrooms, as well as other premises, and their staying in such premises; availability of an assistant to render the necessary technical assistance to such a graduate (entrant); possibility of using the necessary technical means by disabled graduates (entrants) in the process of taking entrance examinations; and possibility of additional time allocated to disabled graduates/entrants for taking examinations, etc.

Joint activities by the federal executive authorities, executive authorities of the constituent parts of the RF, and All-Russian associations of disabled persons enable to ensure increased number of students with physical disabilities in ordinary/standard educational institutions.

Educational process for children with disabilities living in foster homes is performed in accordance with the Standard provision for special (correctional) educational institutions for students and foster children with development deviations/disabilities (as approved by the Decree of the RF Government No. 288 dated March 12, 1997).

Children with physical and mental disabilities aged 4 to 18 are normally accepted for foster home care. Such children with disabilities – due to their health condition – require nursing care, public services, medical assistance, social and labor rehabilitation, education and upbringing. This also refers to children that are in otherwise difficult/adverse family situations.

Education for children with disabilities living in foster homes may be in the form of their enrolling in special (correctional) educational institutions for disabled foster children or in any

other educational institutions designed for children with mental disabilities. Such institutions are normally located close to foster homes.

Classes may be arranged both in a foster home and in any regular educational institution or its branch. If necessary, disabled children and/or their teachers/instructors can be transported to such an educational institution for classes and back.

Pedagogic and medical staff of foster homes can also be additionally involved in the educational process.

Methodological explanations of the specific features of the educational process, measures to rehabilitate foster children/students with disabilities, including children with severe mental disabilities and children with complex disorders, as well as explanations of the levels of educational programs implemented in each type of special (correctional) educational institution are set forth in the instruction letter of the RF Ministry of Education and Science No. 48 dated September 4, 1997 “On I-VIII Class special (correctional) educational institutions” (as amended by the instruction letter of the RF Ministry of Education and Science No. 3 dated December 26, 2000 and the letter of the RF Ministry of Education and Science No. 27/2722-6 dated April 3, 2003 “On education of students with complex disorders”).

Recommendations as to setting up education of children with disabilities are also set out in individual programs for rehabilitation of the disabled as developed by the federal medical and social expertise authority.

When developing educational programs, educational plans, annual schedules, and timetables they take into account the age, health condition, psychophysical specificity of development, and individual capabilities of children with disabilities, as well as the duration of their stay in foster homes.

Graduates of the state-certified educational institutions residing in foster homes receive standard special (correctional) secondary education diplomas.

In order to enhance accessibility of home-based education for children with disabilities, an initiative called “Development of distant learning for children with disabilities” is being implemented under the auspices of the priority national project “Education 2009-2012.” The objective of this initiative is to enable home-based studies for pre-school children with disabilities, as well as enabling additional education for children with disabilities, who are contraindicated for distance learning technologies due to their health conditions, as well as professional education.

In each constituent part of the Russian Federation it is provided for establishment of a distance learning center for disabled children, and training of teachers and parents of children with disabilities in setting up and conducting distance learning for children with disabilities, equipment of workplaces for children with disabilities and teachers with personal computers, telecommunications- and specialized hardware and software, as well as special distance learning equipment, and the Internet connection.

Eleven (11) thousand children with disabilities currently undergo home-based distance learning programs.

3) Please advise the corresponding indicators and provide statistical data and other necessary information about the actual access of disabled persons to education and professional training (the total number of disabled persons, the number of disabled persons aged 0 to 18, the number of disabled persons that take active part in initiatives, professional training and those receiving special education including higher education; the number of combined classes and special educational institutions, full-time studies and on-job training for teachers and instructors).

According to the Federal State Statistics Service data, in 2009/2010 academic year the following number of educational institutions was operational in the Russian Federation:

50,799 general educational institutions with 140,992 children with disabilities – students;

1,790 special (correctional) educational institutions for foster children with disabilities and 14,193 special (correctional) classes at general educational institutions with the total of 341,546 children (including those in special (correctional) classes - 132,204 children), of which 76,296 students were children with disabilities.

The total of over 24 thousand disabled students studied in the state-owned higher educational institutions of all forms; over 14 thousand disabled students studied in special educational institutions; and over 26 thousand children with disabilities studied in primary vocational education institutions.

Currently, there are 2,737 foster home facilities of the RF Ministry of Education and Science and 343 – controlled by the RF Ministry of Health and Social Development, of which 133 and 39 special correctional foster homes and 1,136 and 10 boarding schools, correspondingly.

In foster homes and boarding schools of the RF Ministry of Education and Science there were 279,454 children aged 4 to 17 including 50,028 children with disabilities (whose disability was officially registered), of whom 2,200 children whose disability was detected for the first time, while in foster homes and boarding schools of the RF Ministry of Health and Social Development there were 27,618 children including 18,968 children with disabilities (whose disability was officially registered), of whom 164 are children whose disability was detected for the first time.

Within the system of the RF Ministry of Health and Social development there are 11 foster home-type secondary vocational educational institutions. Over 3,000 persons with disabilities receive their state-sponsored secondary vocational education in accordance with their individual training programs.

In these educational institutions, they deploy distance learning programs including for graduates from among children with disabilities. Videoconferences between educational institutions are also being set up in order to establish a barrier-free environment and increase students' information and communications level.

Differentiated and individual approaches are widely used in the education process, depending on psychological specificity and type of disease of a disabled student.

Disabled students have the opportunity to reveal their creative potential by partaking in various cultural and entertainment- and sports events of different levels: municipal, regional (where colleges and universities are located), as well as All-Russia-level events. Students of technical junior) colleges and colleges receive psychological and pedagogic support throughout the entire period of studies.

**Article 15§2** – To promote employment of persons with disabilities by way of encouragement/incentives extended to employers hiring such disabled persons, and to employ them in ordinary production/manufacturing environment, adjust work conditions to the needs of disabled persons, and – wherever it is not feasible – create sheltered employment conditions for disabled persons depending on degree/level of their disability. In certain cases, such measures may require appealing to special employment and support service bodies for the disabled.

1) Please describe the regulatory and legal framework. Please specify the nature, causes, and scale of the reforms undertaken.

The issues of exercise by disabled persons of their right to labor, guarantees and preemptive rights in terms of employment of disabled persons are governed by the Labor Code of the Russian Federation (hereinafter – the Labor Code), the Federal Law No. 181-Φ3 dated November 24, 1995 “On social protection of disabled persons in the Russian Federation,” as well as the Federal Law No. 1032-1 dated April 19, 1991 “On employment in the Russian Federation” (hereinafter – the Employment Law).

These laws stipulate the provision of benefits to disabled persons when exercising their right to work. These benefits are intended to provide employment for such disabled persons and guarantee working conditions that do not affect their health.

The Labor Code of the Russian Federation (Articles 94, 96, 99, 113) and the Federal Law “On social protection of disabled persons in the Russian Federation” (Article 23) provide for the dependence of the use of labor of disabled persons on medical opinion issued in the order as stipulated for by the federal laws and any other regulatory documents in cases of using their labor beyond normal length of daily operation (shift), at night time, on weekends and (bank) holidays, as well as in case of overtime worked by disabled persons.

According to Article 92 of the Labor Code and Article 23 of the Federal law “On social protection of disabled persons in the Russian Federation” Group I and Group II disabled persons are entitled to decreased working time at not more than 35 hours per work week with guaranteed full wages, as well as in accordance with Article 128 of the Labor Code employers of working disabled persons must grant unpaid vacation for up to 60 calendar days.

Article 59 of the Labor Code stipulates for the opportunity to enter fixed-term employment contracts with disabled persons qualified to engage in temporary labor only – pursuant to their health condition in accordance with the respective duly issued medical opinions.

Besides, disabled persons are guaranteed employment by the federal authorities, state authorities of the constituent parts of the RF by way of implementation of provisions of certain Article 20 of the Federal Law “On social protection of disabled persons in the Russian Federation” including activities aimed to increase their competitiveness on the job market:

Establishment of a quota for employment of disabled persons and the minimum number of jobs for disabled persons in organizations regardless of their legal forms and ownership forms;

Reservation of jobs in case of professions which are best suited for disabled persons;

Encouragement of additional jobs offered by companies, enterprises and institutions (including special jobs) for disabled persons;

Creation of work conditions for disabled persons in accordance with individual rehabilitation programs for such disabled persons;

Creation of preconditions for entrepreneurial activities of disabled persons;

Setting up training of disabled persons in new professions.

2) Please specify measures (organizational and regulatory, programs, actions plans, projects, etc.) aimed at implementing the regulatory legal framework.

Promotion of employment of disabled persons by employment services in accordance with the Employment Law is performed as follows:

Provision of information about the job market in the constituent parts of the Russian Federation;

Selection of appropriate jobs considering individual rehabilitation programs for disabled persons including those pertaining to jobs limited by quotas;

Setting up professional training in order to help choose professional activity (profession), employment, and professional training;

Organization of specialized vacancy fairs and practice positions.

The said activities are performed by the constituent parts of the Russian Federation in accordance with regional employment support programs.

In 2009-2011, employment level of disabled persons was also supported under regional programs which stipulated for additional initiatives aimed at reduction of intensity on job markets in the constituent parts of the Russian Federation which were implemented in accordance with the Decrees of the RF Government No. 1089 dated December 31, 2008 “On extension of subsidies from the federal budget to budgets of the constituent parts of the Russian Federation for implementation of additional activities aimed to mitigate social unrest on job markets in subjects of the Russian Federation” and No. 1011 dated December 14, 2009 “On

extension of subsidies from the federal budget in 2010 and 2011 to budgets of the constituent parts of the Russian Federation for implementation of additional activities aimed to mitigate social unrest on job markets in subjects of the Russian Federation.”

Persons with disability took part in all additional activities on the regional level including:

Proactive professional training for employees in case of a threat of dismissal (downtime, introduction of part-time work, unpaid vacation extended at the initiative of employers, and downsizing initiatives);

Public works, temporary employment of workers in case of implied threat of dismissal/termination, as well as pertaining to officially unemployed persons and persons looking for work;

Apprenticeship for graduates of educational institutions for purposes of gaining professional experience;

Promotion of self-employment of unemployed persons;

Targeted support including setting up relocation of persons in order to begin new employment including jobs created under the auspices of the federal purposes programs and investment projects.

Since 2010, special activities assisting employment of disabled persons were included in the list of additional initiatives aimed to mitigate intensity on job markets. Under the auspices of these initiatives, employers were partially compensated for acquisition of special equipment for workplaces for disabled persons in the amount of RUB 30,000 per workplace occupied by a disabled person.

Since 2011, in accordance with the Decree of the RF Government No. 1011 dated December 14, 2009 “On extension of subsidies from the federal budget in 2010 and 2011 to budgets of the constituent parts of the RF for implementation of additional activities aimed to mitigate social unrest on job markets in subjects of the Russian Federation” as amended by the Decree of the RF Government No. 1143 dated December 27, 2010, the size of compensation to employers for acquisition of special equipment for workplaces of disabled persons was increased to RUB 50,000 per workplace.

Considering efficiency of the additional activities which were financed by subsidies extended by subjects of the Russian Federation from the federal budget, it is proposed to capitalize on this positive practice by way of converting effective 2012 the temporary measures performed in order to mitigate social unrest on job markets in the constituent parts of the Russian Federation into permanent measures implemented using target subsidies to budgets of the constituent parts of the Russian Federation for delegation of authority in promoting employment.

In 2009-2010, 64,000 persons with disability took part in additional activities aimed at mitigation of social unrest on job markets, including:

Over 42,000 persons with disability that took part in public works and temporary work and apprenticeship; RUB 441.1 million was allocated to partial compensation of payroll costs incurred by employers (considering district ratios and contributions to payroll funds) with regards to participation of such persons in civil and temporary works subsidized by the federal budget;

1,142 workers with disabilities took part in proactive professional training for implied threat of mass termination; the amount of funds from the federal budget allocated to co-financing of such proactive professional training initiatives was RUB 10.0 million;

9,100 unemployed persons with disability were granted funds for opening their businesses – under the auspices of activities promoting entrepreneurship. The subsidized businesses were social services, production and processing of agricultural products, construction and repairs, trading and commercial activities, etc.; the amount of financing from the federal budget for these purposes stood at RUB 574.5 million;

Targeted support was rendered to 50 persons with disabilities including setting up of relocation of persons with disabilities in order to begin new employment including jobs created under the auspices of the federal purposes programs and investment; RUB 1.3 million was

allocated from the federal budget for co-financing of transport costs relating to such relocation, payment of per diem expenses both ways, as well as rent expenses in the relocation area.

In order to ensure safe and healthy work conditions in organization of the Russian Federation including work conditions for working disabled persons, prevention of industrial accidents, reduction of occupational health problems and diseases, as well as in order to ensure adherence by employers to labor rights of working disabled persons, the State Labor Inspection of the Russian Federation performs various controlling and supervisory activities aimed to examine compliance with the labor laws and other regulatory and legal enactments with regards to disabled persons, and takes all necessary measures of response to any violations within the scope of its authority.

In 2009, in cases of violation of the labor legislation (the number of violations identified amounted to over 114) the state labor inspectors applied exhaustive response measures: Improvement notices were issued to employers (over 80 improvement notices were issued), and guilty officials were imposed administrative fines (the number of penalties imposed was over 87, the amount of penalties imposed was over RUB 505,100).

The most typical violations of the labor legislation and special norms of labor legislation with regards to working disabled persons as identified by the state labor inspectors in 2010 included breaches of the period of annual paid vacation extended to disabled persons (Article 115 of the Labor Code of the Russian Federation and Article 23 of the Federal Law No. 181-Ф3); failure to observe reduced working time (work week exceeded 35 hours) (Article 92 of the Labor Code of the Russian Federation); failure to fix the duration of principal (extended) vacation in the employment contract (Article 57 of the Labor Code of the Russian Federation).

Violations of Article 99 of the Labor Code of the Russian Federation were more frequent in 2010 as compared with 2009, specifically, in the part of overtime worked by disabled workers without their written consent thereto.

In cases of violations of the labor legislation (the number of violations identified amounted to over 244) the state labor inspectors deployed inspector response measures which included issuance of improvement notices (over 56 improvement notices were issued), imposition of administrative fines in relation to guilty officials (the number of penalties imposed exceeded 100, the total amount of penalties imposed stood at RUB 346,000).

3) Please advise the corresponding indicators, statistical data and other necessary information about the number of disabled persons in their active working age, about the number of disabled persons employed under normal conditions and beneficial/benign conditions (approximate indicators, if necessary). Please specify whether the main provisions of the labor legislation are applied to persons, the work conditions of whom are deemed to be benign in cases when their core activities are related with production.

13.1 million disabled persons currently reside in the Russian Federation, of them 2.7 million persons (20.6%) are in their active working age.

Of the total number of disabled persons including those in their active working age about 20% of persons are not qualified to work pursuant to the respective medical condition.

2.2 million disabled persons (17% of the total number of disable persons) are actively engaged in the national economy. Of the disabled persons in active working age – that are qualified to work pursuant to their medical condition under certain work conditions – about 831,000 persons are engaged in the national economy (40%).

Over the past several years, there was a declining trend in the number of disabled persons.

In 2010, the total number of persons examined by the federal state medical and social expertise authorities stood at 3.98 million persons which is 10.5% less as compared with 2009. In 2010, the total number of persons who were qualified as disabled for the first time among adults amounted to about 895,000 persons, which is 4.9% less than in 2009.

The number of persons that were qualified as disabled persons in their active working age within three years remains stable and varies between 431,800 persons and 436,600 persons.

Between 2009 and 2010, the distribution of disabled persons based on the results of the first and subsequent examination remained practically intact.

After re-examination, there is a trend of reduction in the number of disability group I and II persons and increase in the number of persons qualified as disability group III. This is primarily due to extension of the scope of rehabilitation services rendered to disabled persons and aimed to eliminate or as much as possible to compensate for restricted life activity based on individual rehabilitation programs for disabled persons – since 2005 – to all persons qualified as disabled persons. In the course of the past two years, the indicator of full rehabilitation among adults grew from 4.6% in 2009 to 4.9% in 2010.

Provision of public services to disabled persons  
by employment service bodies  
(persons)

	2008	2009	2010
Number of disabled persons that applied for assistance in job search	256,190	306,478	268,239
% of the total number of persons that applied for assistance in job search	4.2	3.6	4.2
Number of disabled persons that found their jobs (income-bearing activities)	87,299	84,651	87,221
% of the number of disabled persons that applied for assistance in job search	34.1	27.6	32.5
Number of disabled persons that received professional training services	166,999	158,404	160,487
Number of disabled persons qualified as unemployed at the year-end	130,446	151,900	136,258
% of the total number of unemployed persons registered on the job market at the year-end	8.6	7.1	8.6
Number of unemployed disabled persons that were rendered psychological support services	33,657	32,602	33,881
% of the total number of unemployed disabled persons registered on the job market throughout the year	9.4	8.1	8.7
Number of unemployed disabled persons sent for professional training programs	10,388	12,372	14,078
% of the total number of unemployed disabled persons registered on the job market throughout the year	2.9	3.1	3.6
Number of unemployed disabled persons that underwent professional training	9,428	10,138	11,720
Including the following programs:			
Professional training	2,716	3,104	3,456
Professional retraining	4,963	5,484	6,180
Advanced training	1,747	1,550	2,084
Number of unemployed disabled persons having difficulties finding a job and aimed at temporary employment	29,093	28,078	30,347
% of the total number of unemployed disabled persons registered on the job market throughout the year	8.1	7.0	7.8
Number of minor disabled persons (students) aged 14 to 18, sent for temporary part-time employment	2,410	1,943	1,405
Number of unemployed disabled persons that were rendered social adaptation services	21,450	18,613	26,984
% of the total number of unemployed disabled persons	6.0	4.6	6.9

	2008	2009	2010
registered on the job market throughout the year			
Number of unemployed disabled persons that were rendered self-employment assistance services	6,766	10,124	12,251
% of the total number of unemployed disabled persons registered on the job market throughout the year	1.9	2.5	3.2

In the first quarter of 2011, the Government Employment Services in the constituent parts of the Russian Federation rendered the following public services to disabled persons:

Setting up professional training: 40.1 thousand persons;

Psychological support of unemployed persons: 8.5 thousand persons;

Professional training and advanced training of unemployed persons (professional education): 2.4 thousand persons;

Setting up temporary employment for minors aged 14 to 18 (part-time employment for students): 0.1 thousand persons;

Setting up temporary employment for unemployed persons having difficulty finding their jobs: 4.8 thousand persons;

Social adaptation of persons on the labor market: 5.5 thousand persons;

Promotion of self-employment of unemployed persons: 2.3 thousand persons.

## **Article 18 – The Right to Engage in Wage-Earning Activities on the Territories of other Member States of the Charter**

In order to ensure the effective implementation of the right to engage in wage-earning activities on the territories of other member states of the Charter, the Parties shall

Recognise:

4. The right of citizens to leave the country and engage in wage-earning activities on the territories of other member states of the charter.

### **Article 18§4**

1) Please describe the overall regulatory framework. Please specify the nature, causes and scale of reforms.

In accordance with Article 27 of the Constitution of the Russian Federation, every person may freely leave the Russian Federation. A citizen of the Russian Federation has the right to return freely to the Russian Federation.

Article 2 of Federal Law No. 114-ФЗ dated August 15, 1996 On the Procedure Leaving and Entering the Russian Federation states the following:

A citizen of the Russian Federation may not be restricted in the right to leave the Russian Federation apart from on the grounds and in the manner provided for by the Federal Law hereby;

A citizen of the Russian Federation may not be deprived of the right to enter the Russian Federation;

Exit of a citizen of the Russian Federation from the Russian Federation shall not entail for him/her, his/her spouse or immediate relatives, any restrictions of the rights guaranteed by the legislation of the Russian Federation and international obligations of the Russian Federation.

According to Article 4 hereby a citizen of the Russian Federation staying outside of Russia is under the protection and patronage of the Russian Federation. Diplomatic missions and consular establishments of the Russian Federation must provide arrangements for the protection of citizens of the Russian Federation and render them patronage in the manner determined by the legislation of the Russian Federation and international agreements of the Russian Federation.

Article 15 of the law determines that the right of a citizen of the Russian Federation to leave the Russian Federation may temporarily be restricted in cases where he/she:

1) has access to data of special importance or to top secret data constituting a state secret in accordance with the law of the Russian Federation on state secrets, and concluded an employment agreement (contract) stipulating a temporary restriction of the right to leave the Russian Federation, provided that the period of restriction cannot exceed five years from the date the individual was last exposed to the data of special importance or to top secret data - until the expiration period of the restriction established by the employment agreement (contract) or in accordance with the present Federal Law hereby.

Where there is a resolution of the Interdepartmental Commission on the Protection of State Secrets that the data of special importance or top secret data which the citizen was aware of on the day of submission of an application for exit from the Russian Federation, retain a respective degree of secrecy, the period of restriction of the right to leave the Russian Federation indicated in the employment agreement (contract) may be extended by the Interdepartmental Commission, formed in the manner established for the creation of interdepartmental coordination and consultative bodies formed by federal executive bodies. However, the period of restriction of the

right to exit must not exceed a total of ten years including the period of restriction established by the employment agreement (contract), from the date the individual was last exposed to data of special importance or top secret data;

2) in accordance with the legislation of the Russian Federation has been called up to military service or has been forwarded to the alternative civil service, until the completion of the military service or the alternative civil service;

3) in accordance with criminal procedure legislation of the Russian Federation is either under suspicion of having committed a crime or has been accused of such, until the court's decision is pronounced or the sentence comes into effect;

4) has been convicted of a crime, until the sentence has been served (executed) or lifted;

5) evades fulfilment of obligations imposed on him or her by a court of law, until the obligations have been fulfilled or the parties have reached an agreement;

6) deliberately provided false information about themselves when preparing documents for exit from the Russian Federation, until the resolution of this issue within one month by a body preparing such documents.

2) Please specify the measures taken (organisational and administrative activities, programmes, work plans, projects etc.) to implement the regulatory framework.

Work related to the employment of citizens of the Russian Federation abroad is arranged and organised by legal entities and individual entrepreneurs.

In order to protect the rights and legal interests of Russian citizens seeking employment abroad and prohibit related malpractices (deception) on the part of Russian legal entities, paid employment-related services rendered to citizens of the Russian Federation outside the territory of the Russian Federation are subject to licensing on the basis of Federal Law No. 128-Φ3 dated August 8, 2001 On Licensing of Certain Types of Activity.

The provision concerning licensing of activities related to the organisation of employment of citizens of the Russian Federation outside the territory of the Russian Federation, approved by Provision No. 797 of Government of the Russian Federation dated December 23, 2006.

Work related to the licensing of activities pertaining to the organisation of employment of Russian citizens outside the territory of the Russian Federation for the purposes of state regulation of external labour migration processes, is carried out by the Russian Federal Migration Service (FMS Russia). The Federal Migration Service is also vested with the duties of a competent authority authorised to publish binding acts relating to the employment and labour placement of Russian citizens for work as part of a crew on a sea vessel, bearing the flag of a foreign state.

Order No. 269 of the Russian Federal Migration Service dated October 17, 2007 approved the Administrative Regulations of the Federal Migration Service for implementation of state functions relating to licensing of activities connected with the organisation of employment of citizens of the Russian Federation outside the territory of the Russian Federation.

The application of regulations enables the provision of information on administrative procedures when rendering the state service, which increases transparency and simplifies the procedure for rendering it and ultimately, leads to an increase in the quality of provision of state services.

A new version of the Administrative Regulations of the Federal Migration Service for implementation of state functions relating to licensing of activities connected with the organisation of employment of citizens of the Russian Federation outside the territory of the Russian Federation in connection with the adoption of Federal Laws Nos. 210-Φ3 and 227-Φ3 dated July 27, 2010 concerning the improvement of work relating to organising the provision of

state and municipal services and the new version of the Federal Law On Licensing Certain Types of Activity is being prepared.

According to data from the Russian Federal Migration Service in 2009 32,739 individuals were placed in employment including 29,737 sailors on vessels bearing foreign flags. In 2010 63,841 individuals were placed in employment including 47,674 sailors on vessels bearing foreign flags. Between January 2011 and June 2011 24,011 individuals were placed in employment, of which 22,548 were sailors.

***Article 20 - Right to Equal Opportunities and Equal Treatment in the Sphere of Employment and Occupation without Discrimination on Grounds of Gender***

With the purpose of efficiency in implementing the right to equal opportunities and equal treatment in the sphere of employment and occupation without discrimination on grounds of gender, the parties recognize this right and are obliged to take necessary measures to implement this right in the following areas:

- a. employment, protection from dismissal and occupational integration;
- b. occupational guidance, vocational training and retraining;
- c. working conditions, including pay;
- d. career development, including promotion.

**Appendix to Article 20**

1. It is understood that social security issues, including unemployment benefits, old age pensions and benefits connected to the loss of a breadwinner, may be excluded from the scope of this article.
2. Provisions relating to the protection of women, in particular with regard to pregnancy, childbirth and the postnatal period, should not be regarded as discrimination from the perspective of this article.
3. This article shall not prevent the adoption of special measures aimed at eliminating *actual* inequalities.
4. Types of occupational activity, which by their nature or conditions of implementation can only be entrusted to persons of a particular sex may be excluded from the scope of this article, or some of its provisions. This provision shall not be interpreted as requiring the Parties to issue laws or regulations containing a list of works that is by its nature, or conditions of implementation, could be only entrusted to persons of a particular sex.

1) Please describe the general regulatory and legal basis. Please indicate the nature, causes and extent of reform.

The 1993 Constitution of the Russian Federation established state guarantees about the equality of rights and freedoms of individuals, irrespective of gender, race, nationality, language, origin, property status, official capacity, place of residence, attitude to religion, convictions, membership of public associations, and other circumstances and secured two-fold standards of equality: men and women have equal rights and freedoms and equal opportunities for their implementation.

At a regional level, the principle of equality between men and women is fixed in the constituent documents of the constituent parts of the Russian Federation.

The principle of equality between men and women everywhere is included in legislation of the Russian Federation. Civil law is therefore based on the recognition of the equality of participants in civil relations, inviolability of property, freedom of contract, non-arbitrary interference by anyone in private affairs, the need for unimpeded implementation of civil rights, and provision of redress to infringed rights, and judicial protection.

Labour laws have established the equality of rights between men and women and equal opportunities for their implementation.

In accordance with Article 3 of the Labour Code of the Russian Federation therefore, nobody may be limited in employment rights and freedoms or receiving any benefits irrespective of gender, race, colour, ethnicity, language, origin, property, family, social and employment

status, age, location, religion, political beliefs, membership or non-membership of governmental associations, as well as other circumstances not related to professional qualities.

In accordance with Article 64 of the Labour Code of the Russian Federation, everyone has equal opportunities in conclusion of a employment contract, without any discrimination, i.e. the law expressly prohibits unjustified refusal of employment, restriction of rights or benefits in hiring based on gender, i.e. circumstances not related to the professional qualities of workers, except as expressly stipulated for by law, and prohibiting the refusal to hire women for reasons related to pregnancy or having children. Legislators have established an additional safeguard for pregnant women in Article 70 of the Labour Code of the Russian Federation, which is that when hiring workers in this category, there is no probationary period.

Labour legislation has created a system of safeguards to protect workers from discrimination. These guarantees concern hiring and firing, establishment of work and rest, occupational safety and the health of women. Chapter 41 of the Labour Code of the Russian Federation is devoted to these guarantees.

The employer must establish a part-time day (shift) or part-time week at the request of a pregnant woman, and one of the parents (guardian, trustee) with a child under the age of fourteen (disabled child under the age of eighteen), as well as those caring for a sick family member according to a medical opinion issued in accordance with federal laws and regulations of the Russian Federation.

At the same time, work of part-time workers does not lead to any restriction in the length of the main annual paid leave, or the calculation of seniority and other employment rights (Article 93 of the Labour Code).

In addition, by request of a woman or a child's father, grandmother, grandfather, or other relative or guardian actually caring for a child, while on leave for child care, they may work part-time or at home while preserving the right to receive state social insurance benefits (Article 256 of the Labour Code).

In accordance with Article 259 of the Labour Code, business trips leading to overtime work, night work, work at weekends and on public holidays, women with children under the age of three are only admitted with their written consent and provided that it is not forbidden according to a medical opinion issued in accordance with federal laws and regulations of the Russian Federation. At the same time, women with children under three years of age should be made aware in writing of their right to refuse attending a business trip, overtime, night work, work at weekends and on public holidays.

Guarantees stipulated by the second part of this article also apply to mothers and fathers who bring up children under five years of age without a spouse, those who have children with disabilities, and workers caring for sick members of their families in accordance with medical opinion.

This rule is also contained in Articles 96, 99 and 113 of the Labour Code.

Women with children under the age of eighteen months, in the event of impossibility of performing previous work are transferred on their application to another job and are paid for work performed, but not below the average earnings of the previous work before the child reaches the age of eighteen months (Article 254 of the Labour Code).

In addition to the generally established holidays and vacation times, parents (mothers) with children, including those bringing up young children and children with disabilities are entitled to parental leave until the child reaches the age of three years (Article 256 of the Labour Code), with paid state social insurance during the holidays and retention of their job (position).

Also, before you maternity leave and childbirth, or immediately after or at the end of the leave to care for a child, a woman at her wish is granted annual paid leave regardless of length of service for the employer (Article 260 of the Labour Code).

Working women with children under the age of eighteen months, are in addition provided with breaks for rest and meals and additional breaks to feed the child(ren) at least every three hours of at least 30 minutes each.

If a working woman has two or more children under the age of eighteen months, the duration of the break for feeding is at least one hour.

On application by the woman, breaks for feeding the child(ren) may be joined to the break for rest and food, or may be added to the beginning and end of the day (shift) with its corresponding reduction.

Breaks for feeding a child (ren) included in work time shall be payable at the rate of average earnings (Article 258 of the Labour Code).

One of the parents (guardians) by written statement is provided with four additional paid days off per month to care for disabled children, which can be used by one of these persons, or divided among themselves at their own discretion (Article 262 of the Labour Code).

Employees with two or more children under the age of fourteen, an employee who has a disabled child under the age of eighteen, a single mother raising a child under the age of fourteen, a single father raising a child under fourteen years without a mother, by collective agreement may establish additional annual leave without pay at their convenience of up to 14 days. This leave by the employee's written request may be attached to annual paid leave, or used separately in its entirety or in parts (Article 263 of the Labour Code).

In the Russian Federation, the right to remuneration for work without any discrimination and not below the statutory minimum wage is guaranteed by Article 37 of the Constitution and Articles 132 and 133 of the Labour Code of the Russian Federation.

By Decree of the Presidium of the Supreme Soviet of 30 April 1956, ratified by the ILO Convention No. 100 Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951.

In accordance with Article 132 of the Labour Code of the Russian Federation, wages for each employee depend on his skills, the complexity of the work, the quantity and quality of labour input and the maximum amount is not limited. Any form of discrimination in setting and modifying the terms of payment is prohibited.

Pay for the employee is established by an employment contract in accordance with the pay systems of the employer. The remuneration system, including the tariff rates, wages (salaries), bonuses and allowances of a compensatory nature, including work in conditions that deviate from the norm, the system of bonuses and allowances, and incentive-based bonus system, is established by collective agreements, contracts, local regulations in accordance with labour laws and other normative legal acts containing regulations of labour law.

The establishment of salaries may not be arbitrary, and must comply with existing pay systems in the organizations. In this connection, a worker whose salary is set at a smaller amount compared to other employees with similar positions may demand, including through a court order, payment of the difference in wages.

In accordance with Article 37 of the Constitution of the Russian Federation, everyone shall have the right to work in conditions that meet safety and hygiene requirements.

In addition, the main legal act regulating the establishment of state guarantees of labour rights and freedoms of citizens and creation of favourable work conditions, rights and interests of workers and employers is the Labour Code of the Russian Federation.

Chapter 10 of the Labour Code regulates basic labour protection.

This chapter stipulates the main directions of state policy in the field of labour, prescribes the main obligations of the employer in ensuring safe working conditions, as well as the duties and rights of workers in the field of labour.

It is established that every employee has the right to: a workplace that complies with safety requirements; compulsory social insurance against industrial accidents and occupational

diseases; provision of personal protective equipment by the employer; compensation, established in accordance with the Labour Code of the Russian Federation, the collective contract, agreement, local regulation, and the employment contract, if he is engaged in heavy work or work with harmful and/or dangerous conditions.

Articles 92, 117 and 147 of the Labour Code of the Russian Federation establishes reduced working hours to 36 hours per week and additional annual paid leave and higher wages to workers employed in heavy work or work with harmful and/or dangerous conditions.

In accordance with the articles indicated, the minimum amounts of compensation listed shall be determined by the Government of the Russian Federation, taking into account the opinion of the Russian tripartite commission for regulation of social-labour relations.

In the framework of the provisions of the Labour Code of the Russian Federation adopted by decision of the Russian Federation of 20 November 2008 No. 870, according to which the reduced working hours, additional annual paid leave and increased wages are established depending on the class of conditions set by the results of certification of workplaces.

The current labour law significantly limits an employer's right to terminate an employment contract with the employee.

However, under conditions existing in the Russian Federation market economy, the Labour Code contains special rules regarding termination of employment by the employer.

For example, Article 81 of the Labour Code establishes the right of an employer terminating an employment contract with the employee at his initiative, however, in making this decision the employer must comply with a number of additional safeguards against dismissal of persons who are union members, elected union officials, members of the commission on labour disputes, as well as for other categories.

Dismissal on the grounds provided by paragraph 2 or 3 of the first part of Article 81 of the Labour Code, to make staff redundant or due to inconsistency of the worker with the position is permitted if it is not possible to transfer the worker with his written permission to another job available with the employer (such as a vacant position or a job that matches the skills of the employee including vacant lower positions or lower-paid jobs) that the employee can perform, taking into consideration his health. The employer is obliged to offer the employee all available vacancies in the locality that meet these requirements. The employer is obliged to make job offers in other localities if it is envisaged by the collective agreement, agreement or employment contract.

Dismissal on the grounds provided by paragraph 7 or 8 of the first part of Article 81 of the Labour Code, in cases where culpable actions giving rise to a loss of confidence, or any immoral offence committed by the employee outside employment or place of work, but not in connection with the execution of his job duties is not permitted later than one year after the discovery of misconduct by the employer.

Dismissal of the employee by the employer (except for liquidation or termination of activity of the individual entrepreneur) during a period of temporary incapacity and during their vacation is not permitted.

In addition to these safeguards, Article 180 of the Labour Code also provides guarantees and workers' compensation in the event of liquidation of the organisation, redundancies at the organization or of an individual entrepreneur.

So, the employer provides prior warning of the upcoming dismissal in connection with the liquidation of the organization, or redundancy of employees, in person and against a signature at least two months before dismissal.

An employer with written consent of the employee is entitled to terminate the employment contract before the two month expiration, with payment of additional compensation equal to the employee's average earnings, calculated in proportion to the time remaining before the expiry of notice.

With the threat of mass dismissals, the employer, considering the opinion of the elected body of primary trade union organizations, shall undertake necessary measures in accordance with the Labour Code and other federal laws, collective contracts and agreements.

In addition, Article 261 of the Labour Code also provides guarantees for pregnant women, women with children and persons raising children without a mother in the event of termination of an employment contract.

Termination of employment by the employer with a pregnant woman is not allowed, except in the case of liquidation or cessation of activity of an individual entrepreneur.

In the case of expiry of a fixed-term employment contract in the period of a woman's pregnancy, the employer must, on her written request and provision of a medical certificate confirming the status of pregnancy, extend the labour contract until the end of pregnancy. The woman, whose validity of employment contract which was extended until the end of pregnancy, shall, upon request of the employer, but not more frequently than once every three months, provide a medical certificate confirming pregnancy status. If the woman in fact continues to work after pregnancy, the employer has the right to terminate the employment contract with her in connection with the expiration of its validity within one week from the date when the employer knew or should have known about the fact of termination of pregnancy.

Dismissal of a woman due to the expiration of the employment contract during her pregnancy is permitted if the employment contract was signed for the performance of duties of an absent employee and it is not possible by written consent of the woman, to transfer her to the end of pregnancy to other work available to the employer (such as a vacant position or a job that matches the skills and qualifications of the woman, including vacant lower positions or lower-paid jobs) that the woman can perform, taking into consideration her health. The employer is obliged to offer the employee all available vacancies in the locality that meet these requirements. The employer is obliged to make job offers in other localities if it is envisaged by the collective agreement, agreement or employment contract.

Termination of an employment contract with women who have children under three years old, single mothers bringing up a child under fourteen (disabled child under eighteen years of age), or others bringing up these children without a mother, by the employer is not allowed (except for dismissal on the grounds specified in paragraphs 1, 5-8, 10 or 11 of the first part of Article 81 or paragraph 2 of Article 336 of the Labour Code).

Article 173 of the Labour Code provides guarantees and workers' compensation, combining work and study in educational institutions of higher education, and workers attending these educational institutions.

The employer must provide leave without pay:

to employees permitted to take entrance tests in educational institutions of higher education - 15 calendar days;

to employees attending preparatory departments of educational institutions of higher education to sit final exams - 15 calendar days;

to workers, studying in state-accredited educational institutions of higher education, full-time, combining study with work, for taking interim assessment - 15 calendar days per academic year, for the preparation and defence of the final qualifications and taking of final state exams: four months for taking final state exams: one month.

For employees who are successfully educated by distance learning in state-accredited educational institutions of higher education, the employer pays for travel to the location of the relevant educational establishment once per academic year.

For employees studying part-time, and in evening forms of education, in state-accredited educational institutions of higher education, for a period of ten months of training before starting a graduation project (work) or taking state exams may, if desired, have the working week reduced by 7 hours. During leave from work, these employees are paid 50 percent of the average earnings of the main job, but not below the minimum wage.

By agreement of the parties of the employment contract, working hours are reduced by giving the employee a day off work a week or reducing working hours during the week.

Guarantees and compensation to employees combining work and study in educational institutions of higher education without state accreditation are established by collective agreement or the employment contract.

In addition, Articles 174-176 of the Labour Code provide similar guarantees and compensation to employees in educational institutions of secondary vocational education, and workers entering these educational institutions, studying in educational institutions of primary professional education in evening (shift) educational institutions.

The need for training and retraining for their own needs is determined by the employer.

The employer conducts training, retraining, skill development, education for second careers in the organization, and if necessary, in educational institutions of primary, secondary, tertiary, vocational and further education under conditions and procedures determined by collective agreements, contracts, and the employment contract.

Forms of occupational training, retraining and skill development of workers, and the list of professions and occupations required is determined by the employer, taking into account the views of a representative body employees.

In cases stipulated by federal laws and other regulations, the employer is obligated to carry out skill development of employees, if it is a condition for employees of certain activities.

For employees undergoing vocational training, the employer must create the necessary conditions for combining work with training; provide guarantees stipulated by the Labour Code of the Russian Federation, normative legal acts, collective agreements, contracts, and the employment contract.

When the employer sends an employee to improve job skills with a break from work, his job (position) is retained for him along with the average wage at the main place of work. Employees sent for improvement of job skills with a break from work in another locality, are paid travel expenses in the amount established for persons sent on business trips (Article 187 of the Labour Code).

A discriminatory approach in dealing with the issue of promotion at work is not permissible (Article 2 of the Labour Code). Employees should be promoted (promoted within the organization, receive a higher rank, category, etc.) based on objective characteristics such as productivity, skills and experience. Taking into account the characteristics of content and organization of labour in individual sectors (spheres of activity), these criteria may be specified in federal laws or other legal acts. In promotion at work, it is also necessary to consider the attitude of workers to their job obligations and observance of labour discipline.

In addition, the Criminal Code of the Russian Federation stipulates criminal liability for violation of the equality of rights and freedoms of man and citizen, for the unjustified refusal of employment or unfair dismissal of pregnant women or women with children under the age of three years; for non-payment of wages, pensions, scholarships, grants and other payments.

A special place among the basic principles of legal regulation of labour relations is that of respect for and protection of labour rights. It includes all forms of protection of workers, including self-defence.

The Constitution of the Russian Federation (Articles 45, 46) guarantees the state protection of rights and freedoms of man and citizen in the Russian Federation; everyone shall be free to protect his rights and freedoms by all means not prohibited by law, everyone shall be guaranteed judicial protection of his rights and freedoms.

Decisions and actions (or inaction) of state bodies, local authorities, public associations and officials may be appealed in court.

In accordance with international treaties of the Russian Federation, everyone is entitled to address international institutions protecting human rights and freedoms, if all available domestic means have been exhausted.

The Labour Code of the Russian Federation (Article 352) established means of protecting the labour rights of workers, including:

- state supervision and control of compliance with labour laws;
- protection of labour rights by trade unions;
- self-protection of labour rights by workers.

The order of consideration of labour disputes is regulated by the Labour Code of the Russian Federation (Articles 385, 387-389, 391-389).

The content of Article 20 of the Charter is fully compliant with ILO Convention № 111 “Discrimination in Respect of Employment and Occupation” of 1958, valid in the Russian Federation.

The Russian Federation has an effective mechanism for protecting the rights of people: The Constitutional Court abolishes unconstitutional laws, the Supreme Court and Supreme Arbitration Courts overturns illegal acts; the rights of citizens are actively protected by the Prosecutor's Office of the Russian Federation and the Commissioner for Human Rights in the Russian Federation and international legal protection is stipulated.

Issues of protection of human rights and freedoms in addition to traditional institutions (legal and administrative forms of protection) are taken up by the Civil Society Institutions and Human Rights Council under the President of the Russian Federation. Among the main objectives of the Council are the formulation of policies on human rights, development of civil society, consideration of typical reasons for serious human rights violations, and examination of legislative acts.

In accordance with the Federal law “On state benefits to citizens with children”, citizens are supported while bearing and raising children, and are guaranteed payment of government benefits.

In accordance with Article 4 of the Federal Law of 16 July 1999, No. 165-Ф3 “On the bases of compulsory social insurance” (hereinafter, Federal law No. 165-Ф3), one of the principles of compulsory social insurance is universal compulsory social insurance and access for insured persons in implementing their social guarantees.

Insured persons in accordance with Article 6 of the Federal Law No. 165-Ф3 are citizens of the Russian Federation, as well as foreign citizens and stateless persons who work according to labour contracts, self-employed, or other categories of citizens, whose relations to compulsory social insurance occur in accordance with federal laws on specific types of compulsory social insurance.

According to Article 10 of Federal Law № 165-Ф3, insured persons are entitled to timely receipt of insurance provision on conditions established by federal laws on specific types of compulsory social insurance.

Legal relations in the system of compulsory social insurance in the event of temporary disability and maternity, including the conditions, amounts and procedure for providing benefits for temporary disability, maternity and birth, monthly allowance for child care people subject to compulsory social insurance against temporary disability and maternity are regulated by the Federal Law of 29 December 2006 No. 255-Ф3 “On compulsory social insurance for temporary disability and maternity” (hereinafter, Federal law № 255-Ф3).

As established in article 2 of Federal Law No. 255-Ф3, compulsory social insurance in the event of temporary disability and maternity shall be available for citizens of the Russian Federation, as well as temporary or permanent residents in the territory of the Russian Federation, foreign citizens and stateless persons.

The normative legal acts of the Russian Federation regulating compulsory social insurance in the event of temporary disability and maternity lack any provisions relating to discrimination of rights of insured persons according to gender. All types of insurance coverage for compulsory social insurance in the event of temporary disability and maternity are provided to insured persons on equal terms, regardless of shift and hours of work, including working part-time days or weeks.

In the Russian Federation, the main pension laws according to which pensions are established are: Federal Law of 15 December 2001 No. 166-ФЗ “On state pensions in the Russian Federation” and the Federal Law of 17 December 2001 No. 173-ФЗ “On work pensions in the Russian Federation”.

Pension payments in the Russian Federation cover the following categories of citizens: people who have reached a specified age, including those who have never worked, disabled persons, including children with disabilities, and people who have lost their breadwinner.

Currently, the pension system of the Russian Federation is divided into two types of pensions, which can be distinguished by their source of financial security.

The first type of pension, which is considered the main type, are occupational pensions. The majority of pensioners receive these pensions. The right to a pension comes from payment of mandatory pension insurance premiums over a certain period of time. The main source of payment of these pensions is funds that have been generated by these insurance premiums.

Occupational pensions are of three types: old age, disability and for people who have lost their breadwinner.

Work retirement pensions under general rules are provided to men at age 60, and women at 55 years with an insurance period of at least 5 years. In addition, early retirement work pensions are widespread for people 5-10 years before that age, but their assignment requires a much longer contribution period (15-25 years), as well as a long period in related occupations (period of specialisation or in certain work conditions, harmful or hazardous to health).

A work disability pension is appointed in the event of disabilities of categories 1, 2 and 3.

The pension for people who have lost their breadwinner is appointed to relatives of the deceased breadwinner who were dependent on him until the day of his death (children, parents, spouses, brothers, sisters and grandparents).

In this case, there is no gender discrimination in determining the eligibility for pension benefits and the level of its provision.

In this connection, taking any action to amend existing legislation aimed at eliminating disparities is not required.

In 2010, a support programme for families with children was fully implemented in the form of providing maternal (family) capital.

Federal laws were adopted on 28 July 2010, No. 241-ФЗ “On amendments to certain legislative acts of the Russian Federation and the order granting a lump sum at the expense of maternal (family) capital”, 29 December 2010, No. 440-ФЗ “On amendments to Articles 7 and 10 of the Federal Law “On additional measures of state support of families with children”, approved by order of the Ministry of Health and Social Development of Russia of 17 August 2010 No. 674 н “On approval of rules for presenting an application for a lump sum at the expense of maternal (family) capital and its implementation.”

2) Please indicate the measures (organizational and administrative events, programs, work plans, projects etc.) to implement the regulatory and legal basis.

In 2009, state labour inspectors carried out routine supervision and control activities with respect to 2,852 economic entities, suggesting or implementing measures to streamline production, which was of mass character, with a total number of more than 2.9 million workers prior to the implementation of these measures, of which more than 236,600 employees were subject to dismissal because of redundancy, and more than 402,400 workers were transferred to a part-time schedule, over 178,400 workers were not working with pay in established order and more than 40,000 employees were on leave without pay. In the course of these inspections of business entities, state work inspectors identified and localized 5,240 different labour law violations committed by employers during the implementation of these measures to optimize production with regard to relatively large groups and teams of employees.

In order to punish those responsible for irregularities in 2009, state work inspectors brought to administrative responsibility officials responsible for 807 legal entities and private individuals in business entities, which totalled more than 4.3 million rubles.

3) We request you provide relevant indicators, statistical data and other necessary information, particularly about the number of employed and unemployed classified by gender and indicating the difference in wages as a percentage.

In 2009, the employment services for the population of the Russian Federation were requested assistance in finding suitable employment by 4.2 million women or 49.4% of the total number of people who turned to them. Of the number of women who applied for assistance in finding suitable work or an occupation, 2.3 million women or 54.8% of the total number of women seeking assistance, found a suitable job.

The number of women registered as unemployed at the employment service of the Russian Federation totalled 2.4 million or 52.2% of the total number of people who registered as unemployed in 2009.

Unemployed women were provided the following public services by bodies of the state employment service of the Russian Federation in 2009:

- organization of occupational guidance: 2.1 million people;
- psychological support for the unemployed: 149,000 people;
- training, improvement of job skills among the unemployed (vocational training): 224,600 people;
- completed participation in public works: 414,400 people;
- organizing temporary employment for minors between the ages of 14 and 18 in their free time (completed participation): 482,300 people;
- organizing temporary employment for unemployed citizens experiencing difficulty in searching for work (completed participation): 42,000 people;
- organizing temporary employment graduates of primary and secondary professional education aged 18- 20 (completed participation): 15,500 people;
- social adaptation of people to the labour market - 156,400 people;
- organizing self-employment of the unemployed: 107,900 people;

In 2010, the employment services for the population of the Russian Federation requested assistance in finding suitable employment for 3.2 million women or 50.0% of the total number of people who turned to them. Of the number of women who applied for assistance in finding suitable work or an occupation, 2.0 million women or 62.5% of the total number of women seeking assistance, found a suitable job.

The number of women registered as unemployed at the employment service of the Russian Federation totalled 1.9 million or 54.3% of the total number of people who registered as unemployed in 2010.

Unemployed women were provided the following public services by bodies of the state employment service of the Russian Federation in 2010:

- organization of occupational guidance: 1.3 million;
- psychological support for the unemployed: 152,200 people;
- training, improvement of job skills among the unemployed (vocational training): 242,100 people;
- completed participation in public works: 335,500 people;
- organizing temporary employment for minors between the ages of 14 and 18 in their free time (completed participation): 473,500 people;
- organizing temporary employment for unemployed citizens experiencing difficulty in searching for work (completed participation): 48,600 people;
- organizing temporary employment graduates of primary and secondary professional education aged 18- 20 (completed participation): 14,100 people;
- social adaptation of people to the labour market - 173,600 people;

organizing self-employment of the unemployed: 134,100 people;

In the first quarter of 2011, the employment services for the population of the constituent parts of the Russian Federation were requested assistance in finding suitable employment by 640.9 million women or 49.6% of the total applied citizens. Of the number of women who applied for assistance in finding suitable work or an occupation, 291,500 women or 45.5% of the total number of women seeking assistance, found a suitable job.

The number of women registered as unemployed at the employment service of the Russian Federation totalled 400,800 or 51.4% of the total number of people who registered as unemployed in the first quarter of 2011.

Unemployed women were provided the following public services by bodies of the state employment service of the Russian Federation in the first quarter of 2011:

organization of occupational guidance: 484,400 people;

psychological support for the unemployed: 402,200 people;

training, improvement of job skills among the unemployed (vocational training): 47,900 people;

completed participation in public works: 30,100 people;

organizing temporary employment for minors between the ages of 14 and 18 in their free time (completed participation): 25,600 people;

organizing temporary employment for unemployed citizens experiencing difficulty in searching for work (completed participation): 3,300 people;

organizing temporary employment graduates of primary and secondary professional education aged 18- 20 (completed participation): 600 people;

social adaptation of people to the labour market - 24,800 people;

organizing self-employment of the unemployed: 24,900 people;

Statistical information about the performance of state employment services of the Russian Federation for 2009-2010, and for the first quarter of 2011 is contained in the table in response to article 1§3.

### ***Article 24 - Workers' Right to Protection in the Event of Dismissal***

With the purpose of efficiency in implementing workers' rights to protection in the event of dismissal, the Parties are obliged to recognize:

- a. the right of all workers to not be dismissed without valid reasons related to their competence or conduct or the production needs of the enterprise, institution or service;
- b. the right of workers dismissed without good reason to appropriate compensation and other necessary means for legal defence.

For these purposes, the Parties are obliged to provide the employee who believes that his dismissal was committed without good reason the right to appeal to an impartial body.

#### **Appendix to Article 24**

1. It is understood that pursuant to the provisions of this article, "dismissal" means termination of employment by the employer.
2. It is understood that this article affects the interests of all workers, but a Party may wholly or partially deprive protection in the following categories of employed persons:
  - a. workers with an employment contract for a specific period of time or fulfilment of a specified task;
  - b. workers on probation provided that the probation period has been determined in advance and is of a reasonable duration;
  - c. workers employed on a casual basis for a short period of time.
3. Pursuant to the provisions of this article, the following circumstances in particular should not constitute valid reasons for termination of employment:
  - a. trade union membership or participation in union activities outside working hours, or with the consent of the employer during working hours;
  - b. fulfilment, including in the past, of the functions of a workers' representative;
  - c. filing a complaint with the employer in connection with an alleged violation of laws, or participate in proceedings of a case on this issue or appeal to competent administrative authorities;
  - d. race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national or social origin;
  - e. maternity leave or child care;
  - f. temporary absence from work due to illness or injury.
4. It is understood that compensation or other means of legal defence in the event of termination of employment without good reason will be determined by national laws and regulations, collective agreements or otherwise in accordance with national conditions.

1) Please describe the general regulatory and legal basis, including resolutions by courts and other judicial bodies, if possible. Please indicate the nature, causes and extent of reform.

The complete list of grounds for termination of an employment contract with an employee is set by the Labour Code of the Russian Federation. In addition, for certain categories of workers, grounds for termination of an employment contract may be established in other federal laws.

Written notice of a possible termination of employment with the employee by the employer in cases is stipulated for in cases of liquidation and staff redundancy. In this event, the employer provide prior warning of the upcoming dismissal in connection with the liquidation of the organization, or redundancy of employees, in person and in writing at least two months before dismissal.

An employer with written consent of the employee is entitled to terminate the employment contract before the two month expiration, with payment of additional compensation equal to the employee's average earnings, calculated in proportion to the time remaining before the expiry of notice (Article 180 of the Labour Code of the Russian Federation).

In accordance with Article 74 of the Labour Code of the Russian Federation if, for reasons related to a change of organizational or technological conditions (changes in technology and production technology, structural reorganization of production, other reasons), certain conditions of employment by the parties cannot be retained, the employer is allowed to change them, except for changes in the job description of the employee.

The employer must notify the employee in writing no less than two months prior to upcoming changes to certain conditions of the employment contract by the parties, as well as the causes giving rise to such changes, unless otherwise stipulated by the Labour Code.

If the employee does not agree to work under the new conditions, the employer must propose to him in writing another job available with the employer (such as a vacant position or a job that matches the skills and vacant lower positions or lower-paid jobs) that the employee can perform, taking into consideration his health. The employer is obliged to offer the employee all available vacancies in the locality that meet these requirements. The employer is obliged to make job offers in other localities if it is envisaged by the collective agreement, agreement or employment contract.

In the absence of such work, as well as in the event of an employee refusing such work proposed, the employment contract is terminated according to the appropriate reason.

The Russian Constitution guarantees every citizen the protection of his or her rights and liberties in a court of law (Article 46). In this regard, every employee, if he considers his employment rights have been violated, has the right to qualified legal assistance, and above all, to judicial protection. Protecting labour rights is stipulated by labour and civil law legislation.

The Labour Code of the Russian Federation (Article 352) established means of protecting the labour rights of workers, including:

- state supervision and control of compliance with labour laws;
- protection of labour rights by trade unions;
- self-protection of labour rights by workers.

State supervision and control of compliance with labour laws and other normative legal acts containing regulations of labour law in all institutions in the Russian Federation is implemented by the state labour inspectorates of the Federal Service for Labour and Employment of the Russian Federation.

Trade unions have the right to monitor compliance with labour laws and other normative legal acts containing regulations of labour law (Article 370 of the Labour Code). Trade unions, labour inspectors, authorized (entrusted) people for the protection of labour unions have, among other things, the right to: send employers representation regarding elimination of detected violations of laws and other normative legal acts containing regulations of labour law, which must be considered.

Self-defence of labour rights by workers suggests an independent proactive employee. In accordance with Article 379 of the Labour Code, for self-protection of labour rights, an employee may refuse to perform work not stipulated by an employment contract, and also refuse to do work that directly threatens his life or health, except for cases stipulated by federal law. At the time of the refusal of this work, the employee shall retain all rights stipulated by this Code, other laws and regulations.

In addition, the employee is entitled to apply to the court for resolution of individual labour disputes, including in relation to unfair dismissal from work.

Restoring the employee to his previous job as a result of unlawful dismissal, when established by the court, generates the following rights for the employee: provision of the previous job, i.e. work in the same specialisation or occupation, with the same working

conditions, payment for enforced absence; payment should be indexed and made for the time of enforced absence respectively.

The resolution to reinstate an illegally dismissed or transferred employee shall be fulfilled immediately, i.e. the next day after it was imposed by the court and has come into force. An employer may not suspend the decision of the court for reinstatement, even in the event of an appeal.

The provisions indicated above apply to all organizations regardless of form of ownership, organizational and legal activity, departmental affiliation, or number of employees. The court also may, at the request of the employee, order reimbursement of monetary compensation for damages.

According to Article 77 of the Labour Code of the Russian, reasons for termination of an employment contract are:

- agreement by the parties;
- expiration of the employment contract, except when the employment relationship is in fact continuing and neither party has demanded its termination;
- termination of employment by initiative of the employee;
- termination of employment by initiative of the employer;
- transfer of an employee at his request or with his consent to work for another employer or a transfer to a job (position) chosen;
- refusal of the employee to continue working due to a change in the owner of the property of the organization, with a change of jurisdiction (subordination) to the organization or its reorganization;
- refusal of the employee to continue working due to changes in certain conditions by the parties of the employment contract;
- refusal of the employee to transfer to another job required according to a medical opinion issued in accordance with federal laws and regulations of the Russian Federation, or the employer's absence of relevant work;
- refusal of the employee to be transferred to work in another locality together with the employer;
- circumstances beyond the control of the parties;
- violation stipulated by the Labour Code or other federal law, of the employment contract rules if this violation precludes the impossibility of continuing work.

An employment contract can be terminated on other grounds stipulated in this Code and other federal laws.

In the event of an unsatisfactory result of probation, according to Article 71 of the Labour Code, the employer is entitled to terminate the employment contract with the employee before the end of the probation period, warning him about this in writing with not less than three days notice indicating the reasons that led to the recognition of the employee not passing probation. The employee has the right to appeal the decision of the employer in court. If the probation period has expired and the employee continues to work, he is deemed satisfactory, and subsequent termination of employment is only allowed on general grounds.

Article 81 of the Labour Code stipulates that an employment contract may be terminated by the employer in cases of:

- liquidation of the organization or termination of activity of the individual entrepreneur;
- redundancy at the organization, or of an individual entrepreneur;
- discrepancy of the employee to the position or job due to lack of qualifications or validation of certification;
- a change of property ownership of the organization (in relation to the head of the organization, his deputies and chief accountant);
- repeated failure of the employee, without good reason, to fulfil job obligations if he has a disciplinary action;
- a single gross violation by the employee of his job duties:

- absenteeism, i.e. absence from work without good reason during the working day/shift, regardless of duration, as well as in the case of absence from work without valid reasons for more than four hours during the working day/shift;
- the appearance of an employee at work (at the workplace or within the organization of the employer or the facility where the employee on behalf of an employer must perform the job) under the influence of alcohol, drugs or other toxic substances;
- the disclosure of secrets protected by law (state, commercial, official and other), which became known to the employee in connection with fulfilment of job duties, including disclosure of personal information of another employee;
- committing theft in the workplace (including petty) of people's property, embezzlement, intentional destruction or damage, established by a valid court sentence or order of a judge, body or official authorized to hear cases of administrative violation;
- occupational safety violations by the worker are established by the labour protection commission or authorised individual for labour protection, and the violation resulted in serious consequences (work incident, accident, disaster), or knowingly created a real threat of such consequences;

the employee committing guilty actions when directly working with monetary or commodity values, and these actions give rise to losing confidence in him by the employer;

the employee performing educational functions commits an immoral act that is incompatible with the continuation of this work;

taking an ungrounded decision by the head of the organization (branch, representative), his deputies and chief accountant, which breaches the security of property, unauthorized use or other damage to property of the organization;

a single gross violation by the head of the organization (branch, representation), or his deputies in their job obligations;

submission of false documents to the employer by the worker in conclusion of the employment contract;

stipulated by an employment contract with the head of the organization, and members of the collegial executive body;

in other cases stipulated by this Code and other federal laws.

Dismissal based on the stipulation in item 2 or 3 of the first part of the Article indicated above is permitted if it is not possible to transfer the worker with his written permission to another job available with the employer (such as a vacant position or a job that matches the skills and vacant lower positions or lower-paid jobs) that the employee can perform, taking into consideration his health. The employer is obliged to offer the employee all available vacancies in the locality that meet these requirements. The employer is obliged to make job offers in other localities if it is envisaged by the collective agreement, agreement or employment contract.

In the event of termination of activity of a branch, representative office or other individual structural subdivisions of the organization located in another locality, the termination of labour contracts with employees of this division is made in accordance with the rules stipulated for liquidation cases.

Dismissal of the employee by the employer (except for liquidation or termination of activity of the individual entrepreneur) during a period of temporary incapacity and during their vacation is not permitted.

According to Article 178 of the Labour Code, when terminating an employment contract in connection with the liquidation of the organization or redundancies in the organization, affected employees shall be paid an allowance equal to their average monthly earnings, and the average monthly salary for the period of employment is retained, but not for more than two months from the date of dismissal (taking into consideration severance pay).

In exceptional cases, the average monthly salary is retained for the worker laid-off for the third month from the date of dismissal by decision of the employment service, provided that within two weeks after dismissal, the employee appealed to the body and he was not employed.

Severance pay totalling average earnings for two weeks is paid to the employee on termination of the employment contract due to:

refusal of the employee to transfer to another job required according to a medical opinion issued in accordance with federal laws and regulations of the Russian Federation, or the employer's absence of relevant work;

the employee being called up for military service or to alternative civil service;

reinstatement of an employee to work previously performed;

refusal of the employee to be transferred to work in another locality together with the employer;

the employee being pronounced unfit for work according to a medical opinion issued in accordance with federal laws and regulations of the Russian Federation;

refusal of the employee to continue working due to changes in certain conditions by the parties of the employment contract.

2) Please indicate the measures (organizational and administrative events, programs, work plans, projects etc.) to implement the regulatory and legal basis.

In order to ensure absolute compliance with labour laws with respect to employees of business entities at risk of dismissal, since the end of 2008, state work inspectorates implemented a series of target planning activities aimed at protecting the legitimate rights and interests of this category of workers and downsizing, and therefore, social tensions in the Russian Federation in relation to changes in financial and real sectors of the economy due to the international economic crisis.

In 2009, state labour inspectors carried out routine supervision and control activities with respect to 2,852 economic entities, suggesting or implementing measures to streamline production, which was of mass character, with a total number of more than 2.9 million workers prior to the implementation of these measures, of which more than 236 600 employees were subject to dismissal because of redundancy, and more than 402,400 workers were transferred to a part-time schedule, over 178,400 workers were not working with pay in established order and more than 40 000 employees were on leave without pay. In the course of these inspections of business entities, state work inspectors identified and localized 5,240 different labour law violations committed by employers during the implementation of these measures to optimize production with regard to relatively large groups and teams of employees.

In order to punish those responsible for irregularities in 2009, state work inspectors brought to administrative responsibility 807 officials, legal entities and private individuals in business entities for the total sum of more than 4.3 million rubles.

In 2010, routine supervision and control activities was carried out with respect to 1,558 economic entities, suggesting or implementing measures to streamline production, which was of mass character, with a total number of more than 676,100 workers prior to the implementation of these measures, of which more than 56,100 employees were subject to dismissal because of redundancy, and more than 33,400 workers were transferred to a part-time schedule, over 10,000 workers were not working with pay in established order and more than 2,000 employees were on leave without pay. In the course of these inspections of business entities, state work inspectors identified and localized 2,900 different labour law violations committed by employers during the implementation of these measures to optimize production with regard to relatively large groups and teams of employees.

The most common violations detected by state work inspectors in the course of these inspections of businesses entities was violation of Article 178 of the Labour Code of the Russian Federation regarding late payment of severance pay to employees for dismissal, Part 5 of Article 74 of the Labour Code of the Russian Federation expressed the fact that employers did not

adequately notify employees about the upcoming change of working time, not less than two months before its introduction, Part 2 of Article 180 of the Labour Code of the Russian Federation with regards to violation by the employer of the notice period for employees of the impending dismissal due to redundancy, Part 3 of Article 81, and Part 1 of Article 180 of the Labour Code of the Russian Federation, expressed by failing to report in writing to an elected body of a primary trade union organization within three months of the decision to release employees and other labour law violations.

3) We request you provide relevant indicators, statistical data and other necessary information if appropriate.

As a result of activities by state work inspectorates to ensure the protection of rights and lawful interests of citizens, in 2009, at the request of state work inspectors, 1,933 orders of illegal dismissal of employees were overturned as well as 3,036 orders of illegally imposed disciplinary actions, and at the request of state work inspectors more than 31,000 labour contracts were issued that had not previously been issued in the prescribed manner by employers. According to results of these audits by state labour inspectors in 2009, administrative responsibility was brought in established order to over 12,400 heads of organizations, legal entities and individual entrepreneurs operating without setting up a legal entity in the form of an administrative fine totalling more than 56.8 million rubles.

As a result of activities by state work inspectorates to ensure the protection of rights and lawful interests of citizens, in 2010, at the request of state work inspectors, 1,543 orders of illegal dismissal of employees were overturned as well as 2,320 orders of illegally imposed disciplinary actions, and at the request of state work inspectors more than 27,400 labour contracts were issued that had not previously been issued in the prescribed manner by employers. According to results of these audits by state labour inspectors in 2010, administrative responsibility was brought in established order to over 11,000 heads of organizations, legal entities and individual entrepreneurs operating without setting up a legal entity in the form of an administrative fine totalling more than 53.8 million rubles.