

**Judgment of the Constitutional Court of the Russian Federation of 6
December 2012 No. 31-II. Resume.**

By the Judgment of 6 December 2012 No. 31-II the Constitutional Court gave appraisal of constitutionality of Item 4 of Section 1 of Article 33 and Sub-Item “a” of Item 3 of Section 1 of Article 37 of the Federal Law *On the State Civil Service of the Russian Federation*

The petitioner contested normative provisions of the Federal Law “On the State Civil Service of the Russian Federation”, on the basis of which the question was decided of the possibility to dismiss, on the initiative of the representative of an employer, a pregnant woman doing State civil service, including for a disciplinary offence committed by her.

By the decision of the Constitutional Court these provisions, in normative unity with Section 3 of Article 37 of the abovementioned Federal Law, have been recognized as not conforming to the Constitution of the Russian Federation to the extent to which they admit dismissal from the State civil service, on the initiative of the representative of an employer, of a pregnant women doing State civil service and not being on maternity leave, in cases not connected with liquidation of a respective State body, including for the commission of a disciplinary offence.

The Constitutional Court has pointed out that this does not mean full release of a pregnant women from disciplinary responsibility for the commission of a disciplinary offence. In case of a single flagrant breach of her duties by a pregnant woman doing State civil service, the representative of an employer may make her disciplinarily answerable using other disciplinary sanctions, apart from dismissal from the State civil service.

06 December 2012