

By the Judgement of 28 June 2018 No. 26-II/2018 the Constitutional Court appraised constitutionality of Section 1 of Article 153 of the Labour Code of the Russian Federation.

The contested provision was a subject-matter of consideration insofar as on its basis is resolved the question of the amount of pay for work on a day off or a non-working holiday, carried out beyond monthly rate of working time by persons filling posts of civil personnel of military units and organisations of the Armed Forces of the Russian Federation, which includes, in addition to monthly salary (official salary), compensatory and encouraging payments.

The Constitutional Court has recognised the contested provision as not contradicting the Constitution of the Russian Federation, since it contemplates setting for staff-members getting salary (official salary), filling posts of civil personnel of military units and organisations of the Armed Forces of the Russian Federation and recruited for work on days off and (or) non-working holidays beyond monthly rate of working time, if this work has not been compensated by granting them another rest-day, pay for work on a day off and (or) a non-working holiday, including, in addition to the tariff part of the wages calculated in the amount of no less than a double daily or hourly rate (part of the salary (official salary) for a day or hour of work), all compensatory and encouraging payments envisaged by the labour remuneration system set for them.