

**By the Judgement of 4 February 2020 No.7-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 67, Section 2 of the Labour Code of the Russian Federation; and Article 13, Para. 8 of the Federal Law “On the Legal Status of Foreign Citizens in the Russian Federation”**

In accordance with the provisions of Article 67, Section 2 of the Labour Code of the Russian Federation, an employment contract not having a written form is deemed to be concluded if the employee began to work with the knowledge or on behalf of the employer or his authorised representative; upon the actual admission of the employee to work, the employer is obliged to draw up an employment contract with him in writing no later than three working days from the date of the actual admission of the employee to work, and if individual labour relations arose on the basis of a civil law contract, but were subsequently recognised as labour relations, - not later than three working days from the date of recognition of these relations as labour relations, unless otherwise provided by the court.

Article 13, Para. 8 of the Federal Law of 25 July 2002 No. 115-Φ3 “On the Legal Status of Foreign Citizens in the Russian Federation” establishes that the employer or the customer of works (services) attracting and using to carry out labour activities of a foreign citizen must notify the territorial body of the federal executive body in the field of internal affairs in the constituent entity of the Russian Federation in which territory this foreign citizen is engaged in labour activities about termination with this foreign citizen of an employment contract or civil law contract for the performance of work (provision of services) within a period not exceeding three business days from the date of conclusion or termination of the said contract.

The Constitutional Court recognised the challenged interrelated provisions as not contradicting the Constitution of the Russian Federation, since in the current legal regulation they do not imply:

entrusting to the employer, attracting and using for carrying out labour activities of a foreign citizen, the obligation to notify the territorial body of the federal executive body in the field of internal affairs in the territorial entity of the Russian Federation in the territory of which the foreign citizen is engaged in labour activities, on the assignment of work to such a foreign citizen stipulated by the labour contract concluded with him and different from that indicated in notification of its conclusion which was sent to the relevant authority, as well as a change in the address specified by the employment contract;

bringing the said employer to administrative liability for failure to notify the territorial body of the federal executive body exercising federal state control (supervision) in the field of migration about the assignment to a foreign citizen of work not provided for by the labour contract concluded with him and different from that indicated in the notification which was sent to the relevant authority, as well as a change in the address specified by the employment contract.