

**By the Judgement of 4 April 2024 No.15-II, the Constitutional Court assessed constitutionality of Article 395 (item 1) of the Civil Code of the Russian Federation**

The above-mentioned legal provision has been considered in the context of resolving the issue of recovery from an employer, in favour of an employee who has been unlawfully dismissed and subsequently reinstated by a court, of interest (pecuniary compensation) for the delay in payment of his average earnings awarded by the court for the period of forced absence, as well as compensation for the moral damage caused by the unlawful dismissal.

The challenged legislative provision was found not to be inconsistent with the Constitution of the Russian Federation, since in its constitutional and legal sense it was not intended for resolving this issue, and did not contain any obstacles to its resolution on the basis of the application of Article 236 of the Labour Code of the Russian Federation (according to the legal positions established in Judgement of the Constitutional Court of 11 April 2023 No.16-II), as it implies the calculation of interest (monetary compensation) on the sums of money awarded to an employee by a court in accordance with the established rules, from the next day, when these sums of money were awarded to the employee by the court in accordance with the applicable legal regulation.

The Constitutional Court separately noted that the constitutional interpretation it had given in the Judgement is valid for the future, except for its application as a ground for reviewing the applicant's case.