

By the Judgement of 17 October 2024 No.47-II, the Constitutional Court assessed constitutionality of items 2,4,10 of the Provisions Relating to the Particularities of the Method of Calculating Average Earnings approved by the Resolution of the Government of the Russian Federation of 24 December 2007 No.922.

These provisions have been considered to the extent that they regulate the issue of calculation of average income for payment of annual holiday granted to employees of military units and other organisations of the Armed Forces who receive additional material incentives (bonuses) in accordance with a regulatory act of the Ministry of Defence of the Russian Federation.

The contested provisions were found not to be contrary to the Constitution of the Russian Federation, as they do not imply that such a calculation is possible without taking into account bonuses regularly paid to the said persons as part of their salaries. The exception is when such payments are made to an employee, including for the period of his annual leave, in excess of the average earnings paid to him during that leave, calculated without taking average earnings into account.