

Russia amends labour legislation on electronic document workflow

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On 22 November 2021, the Russian President signed the [Law on Amendments to the Labour Code of the Russian Federation*](#), which establishes the procedure for electronic document workflow in labour relations.

The Law came into force on 22 November 2021.

The requirements to the contents and formats of electronic documents established by the federal executive authorities, including the Ministry of Labour of Russia, will apply from 1 March 2023.

The provisions of the Russian Labour Code on the interaction between the [Work in Russia*](#) platform and the employer's information system, which allows electronic documents to be signed, will apply from 1 September 2022.

The main changes envisaged by the Law

The Law provides for the creation, signing, use and storage of work-related documents in electronic form without duplication on paper, including the possibility of concluding an employment agreement electronically and reading the employer's local regulations in electronic form.

Electronic document workflow does not apply to the following: employment records ("*trudovye knyzhki*") and information on the employment of employees in electronic form, industrial accident reports, employee termination orders and employee health and safety training documents.

The creation, signing, use and storage of documents and electronic document workflow can be carried out:

- through the Work in Russia unified digital platform in the area of employment and labour relations, including interaction via the [unified portal for state services*](#); or
- through the employer's information system, which allows the signing and storage of electronic documents and the recording of the receipt of documents by the parties in the employment relationship.

The Russian government will establish the interaction between the digital platform, the state services portal and the employer's information system.

If an employer decides to introduce electronic document workflow, it must issue a local regulatory act that takes into account the opinion of the elected body of the primary trade union. This local act must provide:

- information on the information system used by the employer;
- the procedure for access to the employer's information system;
- the list of electronic documents and the list of categories of employees for whom the electronic document workflow applies;
- the deadline for notifying employees about the switch to interaction with their employer via electronic document workflow; and
- information on the date for introduction of electronic document workflow.

Each employee must be notified of the switch to interaction with the employer via electronic document workflow and the employee's right to consent to this interaction in writing.

The absence of the employee's consent to interaction with the employer by means of electronic document workflow should be deemed a waiver of such interaction. The employee, however, retains the right to give consent later. Absence of consent cannot be the basis for refusing to employ or terminating an employee.

The employer must provide, free of charge, duly certified paper documents related to their employment to employees who have not given their consent to interact with the employer via electronic document workflow.

New employees must be informed about the electronic document workflow. Consent will not be required for:

- those hired after 31 December 2021; and

- those with no employment history as of 31 December 2021.

An enhanced qualified electronic signature, an enhanced unqualified electronic signature or a simple electronic signature will be used to sign electronic documents, depending on whether the employer's information system or the Work in Russia digital platform is used and the type of employment documents to be completed.

Where an employee does not have an electronic signature, the employer must bear the cost of obtaining and using this electronic signature.

Comments

It is necessary for employers to:

- decide whether to implement electronic document workflow;
- review the procedure for formalising employment documents and interacting with employees and applicants for employment;
- adopt a local regulatory act concerning electronic document workflow; and
- bring internal processes and personnel documents (e.g. employment agreements, local regulatory acts) in line with the requirements of the Law.

For further information, please email the authors or your usual contact at CMS Russia.

** In Russian*

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