



Amendments and additions to the Labor Code were entered into force

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In brief

On May 4, 2020, the Law “On Amendments and Additions to Legislative Acts on Labor matters” was signed.

In detail

A number of significant changes and amendments to the Labor Code were introduced as of 15 May 2020:

- a **“Labour contracts unified database”** is implemented to conclude and monitor labour contracts. All labour contracts have to be in an electronic format and stored in one unified system. Any changes to a labour contract can be made **online in the e-document** via **electronic digital signature (EDS)**.
- labour authorities must ensure the **confidentiality and protection of the employee’s personal data** available in the unified database;
- the employer must ensure **safety and labor protection for all employees during remote work**, including safe working conditions;
- where there are several subcontractors working on a construction site, the **General Contractor is** responsible for safety and labour protection on the site;
- an employer must notify its insurance company about an accident within three working days from becoming aware of the accident;
- art. 50.3 of the Labour code providing for the right of employer to unilaterally terminate a labour contract based on pre-agreed compensation is now prohibited;
- Employee have right to equal pay for equal work, as well as equal working conditions without any discrimination. Thus, any working condition discrimination is punishable;
- a labour contract may be terminated at the employer’s initiative if an employee **abuses his position** (in his own interest or in the interest of a third party). This requires an internal investigation act by the employer;
- **if night work coincides with a holiday or a weekend**, the night hours and work on holidays/weekends should be paid separately;
- if salary is paid late or only partially paid, late payment interest at **1.25 times** the official refinancing rate of the National Bank is due;
- companies, as well as in branches and representative offices of foreign legal entities can conclude a **collective labour agreement**
- secondment from a legal entity to its branches, representative offices and (or) other separate structural divisions located in Kazakhstan is introduced;
- a list of situations where secondment is not permissible is established;
- the employer must **save the employee’s workplace** in the event of **conscription to military service**. The employee must resume work within one month after completion of military service.

Please follow the link to view the Law: online.zakon.kz

If you are interested in additional information, please contact us.