

## THE REVIEW OF ECONOMIC LEGISLATION IN APRIL 2014

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*In April, the following amendments were introduced in the legislation: the size of severance benefits which are paid to laid off executive officers was limited; a new statute on doctoral studies was developed.*

### I. Federal law of the Russian Federation

Federal Law No.56-FZ of April 2, 2014 on AMENDMENT OF THE LABOR CODE OF THE RUSSIAN FEDERATION AS REGARDS INTRODUCTION OF A LIMITATION ON THE SIZE OF SEVERANCE BENEFITS, COMPENSATIONS AND OTHER PAYMENTS DUE TO TERMINATION OF LABOR CONTRACTS FOR INDIVIDUAL CATEGORIES OF WORKERS

The Labor Code of the Russian Federation was supplemented with new Article 349.3 which is applied to executives, their deputies, chief accountants and members of collegial executive bodies of state corporations, state-run companies and entities with the government's over 50% interest in the charter capital, as well as executives, their deputies and chief accountants of state extra-budgetary funds and public and municipal entities and enterprises.

The amount of severance benefits, compensations and other payments in any form paid to the above categories of workers is limited by a threefold amount of their monthly average pay (it is to be noted that an accrued salary, compensation of travel expenses, compensation for carry-over vacation and other are not taken into account).

In termination of labor relations, a ban is set on payment of severance benefits in case of dismissal, for example, on grounds related to disciplinary penalties.

### II. Resolution of the Government of the Russian Federation

Resolution No.267 of April 4, 2014 on APPROVAL OF THE STATUTE ON DOCTORAL STUDIES

The approved Statute on Doctoral Studies establishes the following:

- requirements to research and educational workers sent to doctoral studies;
- requirements to entities on which base a thesis can be prepared for applying for an academic degree of a doctor of science (a receiving entity);
- procedure for sending of research and educational workers to doctoral studies;

- procedure for preparation of a thesis during doctoral studies, including deadlines within which such a thesis is to be prepared;
- rights and responsibilities of doctoral students;
- the size and procedure for making monthly payments to doctoral students.

Also, the new Statute on Doctoral Studies includes a number of new additions as compared to one which was in effect before, including:

- decision on sending a worker to doctoral studies is taken by the manager of the sending entity (an organization engaging in educational activities or research whose workers are sent to prepare a thesis) with taking into account the guidelines of the scientific (research and research and engineering) council of that organization on the basis of the worker's application;
- a receiving entity (an educational organization of higher education, educational establishment of additional vocational training and research entity in which preparation of a thesis is done) carries out a competitive selection of persons for preparation of theses and on the results of that selection a conclusion is made on a possibility of preparation of theses by persons who took part in that competitive selection;
- preparation of a thesis for seeking of an academic degree of doctor of science at doctoral studies is carried out on the basis of an agreement between the sending entity, receiving entity and doctoral student or on the basis of the agreement between the sending entity and the doctoral student if preparation of a thesis for seeking of an academic degree of doctor of science at doctoral studies is carried out at the sending entity. The above agreement must include the subject of the thesis in research line, terms of the research to be carried out by the doctoral student, deadlines of preparation of a thesis, the parties' financial liabilities, reasons and procedure for termination of the agreement and other terms;

- the sending entity makes monthly payments to the doctoral student in the amount which is equal to a single minimum wage; in case of a lay-off of the worker from the sending entity monthly payments are stopped.

The Statute provides for payment of educational grants to persons admitted to doctoral studies before January 1, 2014 till the end of their training at doctoral studies (but not later than January 1, 2018). ●