

Labor Code. Section IV. WORKING HOURS

Chapter 15. GENERAL PROVISIONS

Article 91. The concept of working time. Normal working hours

Working time is the time during which an employee must perform work duties (in accordance with the terms of the employment contract and the rules of the internal labor regulations of the organization)

The normal working time may not exceed ***40 hours per week.***

The employer is obliged to keep records of the time actually worked by each employee.

Article 92. Reduced working hours

Reduced working hours are set:

for employees under the age of sixteen - no more than 24 hours per week;

for employees between the ages of sixteen and eighteen, no more than 35 hours per week;

for employees with disabilities of group I or II - no more than 35 hours per week;

for workers with harmful working conditions of 3 or 4 degrees or dangerous working conditions - no more than 36 hours per week.

The working time of persons under the age of eighteen who receive general education or secondary vocational education and combine education with work during the school year may not exceed half of the standards established for persons of the appropriate age.

Shorter working hours may be established for other categories of employees (teaching, medical and other workers).

Article 93. Part-time work

By agreement of the parties to the employment contract, an employee may be assigned part-time work (part-time (shift) and (or) part-time working week, including with the division of the working day into parts) both when

applying for a job and subsequently. Part-time work can be established both without time limit and for any period agreed upon by the parties to the employment contract.

When working on a part-time basis, the employee's remuneration is made in proportion to the time worked by him or depending on the amount of work performed by him.

Part-time work does not entail for employees any restrictions on the duration of the annual basic paid leave, calculation of work experience and other labor rights.

Article 94. The duration of daily work (shift)

The duration of daily work (shift) cannot exceed:

for employees (including persons receiving general education or secondary vocational education and working during the holidays) aged from fourteen to fifteen years - 4 hours, aged from fifteen to sixteen years - 5 hours, aged from sixteen to eighteen years - 7 hours;

for persons receiving general education or secondary vocational education and combining education with work during the school year, between the ages of fourteen and sixteen - 2.5 hours, between the ages of sixteen and eighteen - 4 hours;

For employees engaged in work with harmful and (or) dangerous working conditions, where a reduced working time is established, the maximum permissible duration of daily work (shift) may not exceed:

with a 36-hour working week - 8 hours;

with a 30-hour work week and less than 6 hours.

In some cases, it may be envisaged to increase the maximum permissible duration of daily work (shifts)

with a 36-hour working week to 12 hours;

for a 30-hour work week or less, up to 8 hours.

Article 95. The duration of work on the eve of non-working holidays and weekends

The duration of the working day or shift immediately preceding a non-working holiday is reduced by one hour.

Overworking on a pre-holiday day can be compensated by providing the employee with additional rest time or, according to the norms, payment for overtime work.

On the eve of the weekend, the duration of work during a six-day working week may not exceed five hours.

Article 96. Night work

Night time is the time from 22 o'clock to 6 o'clock.

The duration of work (shift) at night is reduced by one hour without further working off.

The duration of work (shifts) at night is not reduced for employees who have a reduced working time, as well as for employees hired specifically for night work,

Pregnant women are not allowed to work at night; workers under the age of eighteen, Women with children under the age of three, disabled people, workers with disabled children, as well as workers caring for sick members of their families in accordance with a medical opinion, mothers and fathers raising children under the age of fourteen without a spouse, as well as guardians of children of the specified age, a parent with a child under the age of fourteen, if the other parent works on a shift basis, as well as employees with three or more children under the age of eighteen, in the period up to the age of fourteen, the youngest of the children may be employed at night only with their written consent and provided that such work is not prohibited for health reasons

Article 97. Work outside the established working hours

The employer has the right to involve an employee in work outside the working hours established for this employee for overtime work

Article 99. Overtime work

Overtime work is work performed by an employee on the initiative of the employer outside the working hours established for the employee

The employer's involvement of an employee in overtime work is allowed with his written consent in the following cases:

- 1) if necessary, perform (finish) the work that has begun, if non-performance (non-completion) of this work may pose a threat to human life and health;
- 2) when performing temporary work on the repair and restoration of mechanisms, if their malfunction may cause a significant number of employees to stop working;
- 3) to continue work in case of non-appearance of a replacement employee, if the work does not allow a break. In these cases, the employer is obliged to replace the shift worker with another employee.

The employer's involvement of an employee in overtime work without his consent is allowed in the following cases:

- 1) during the work necessary to prevent a disaster, an industrial accident
- 2) when working to eliminate unforeseen circumstances (violation of centralized hot water supply, cold water supply and (or) wastewater disposal systems, gas supply, heat supply, lighting, transport, communications);
- 3) when a state of emergency or martial law is imposed,

Pregnant women, employees under the age of eighteen, and other categories of employees are not allowed to work overtime.

Involvement in overtime work of disabled people, women with children under the age of three, mothers and fathers raising children under the age of fourteen without a spouse, guardians of children under the age of 14, a parent with a child under the age of fourteen, as well as employees with three or more children in under the age of eighteen, in the period before the youngest of the children reaches the age of fourteen, it is allowed only with their written consent, unless it is prohibited to them for health reasons in accordance with a medical opinion,

The duration of overtime work for each employee **shall not exceed 4 hours for two consecutive days** and **120 hours per year**, except in cases provided for by this Code.

The employer is obliged to ensure that the duration of overtime work of each employee is accurately recorded.

Chapter 16. WORKING HOURS

Article 100. Working time mode

The working time regime should provide for the duration of the working week:

five days with two days off,

six days with one day off,

working week with days off on a rolling schedule, part-time working week

Article 103. Shift work

Shift work - work in two, three or four shifts - is introduced in cases where the duration of the production process exceeds the permissible duration of daily work, as well as in order to use equipment more efficiently, increase the volume of products or services provided.

In case of shift work, each group of employees must work during the established working hours in accordance with the shift schedule.

Shift schedules are brought to the attention of employees no later than one month before they are put into effect,

2) It is prohibited to work for two consecutive shifts,

Article 104. Summary accounting of working hours

When, according to the conditions of production (work), the daily or weekly working time cannot be observed, it is allowed to introduce cumulative accounting of working hours so that the duration of working time for the accounting period (month, quarter and other periods) does not exceed the normal number of working hours. The accounting period may not exceed one year, and for accounting the working hours of employees engaged in work with harmful and (or) dangerous working conditions - three months.

Article 105. Dividing the working day into parts

In those jobs where the intensity of work varies during the working day (shift), the working day can be divided into parts so that the total working time does not exceed the established duration of daily work