

SYSTEM OF PREVENTION OF LABOR RIGHTS VIOLATION IN THE SPHERE OF LABOR PROTECTION: ESSENCE AND PROSPECTS OF LEGAL REGULATION

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Abstract: The objective of the paper is to research the system of measures preventing the labor rights violation in the sphere of labor protection. For this purpose, the normative-legal acts were analyzed, including those in the sphere of labor protection, as well as special literature. To achieve the set goal, the measures stipulated by the Russian legislation to prevent the labor rights violation in the sphere of labor protection were analyzed. As a result, the authors revealed the essence of preventing the labor rights violation in the sphere of labor protection, and propose their classification, which serves as the basis for forming a system of preventive measures. The preventive measures are differentiated on various grounds: content (economic, juridical and moral) and organization (external and internal). Some of these measures are already stipulated by the legislation, including in pursuance of international norms (Conventions of International Labor Organization), others need to be adopted for development of economic relations (for example, labor compliance in the sphere of labor protection). The classification of measures preventing the rights violation in the sphere of labor protection based on their content is the most informative. For instance, the economic preventive measures include organizational, medical, and financial measures. Organizational measures include such measures as organization of the labor protection management system, implementation of special evaluation of labor conditions, training in the sphere of rules of labor protection, distribution of individual protection means, milk, therapeutic prophylactic nourishment, etc. the medical prophylactic measures are medical examination of workers, providing sanitary-amenity services by the employer, mandatory medical insurance of the employees. The financial preventive measures are the necessary payments of an employer to provide the measures for labor protection. The juridical measures preventing the rights violation in the sphere of labor protection are represented by measures of control and supervision. Supervision is implemented by the Federal Labor Inspection, while control is organized and implemented by a special department of the employer company, which controls how the employees follow the rules of labor protection (labor compliance). Finally, the moral preventive measures often have the most expressed positive effect on the employees' following the rules of labor protection, thus stimulating an employer for creating the safe working conditions. **Keywords:** violations in the sphere of labor protection, labor compliance in the sphere of labor protection, preventing violations of the labor rights of employees.

1. INTRODUCTION

An employer is the economically stronger party of a labor legal relations occurring between an employer and an employee. In Russia, these legal relations are regulated by the norms of labor law, which appeared as a branch of law exactly for protecting the labor rights of employees, as the state, providing an employer with organizational power over an employee, has to restrain this power by relevant norms and bodies authorized for requiring implementation of these norms. This was noted by L. S. Tal', who viewed the internal organizational order of an enterprise [1]. In Russia, the competent bodies are, first of all, the bodies of state control (supervision) over observance of labor legislation and other normative legal acts containing the norms of labor law; one of these bodies is Federal Labor Inspection. By controlling the observance of employees' labor rights by employers, this state body

implements the federal state supervision, thus legally limiting the power of an employer. The norms facilitating the “balancing” of the power of an employer over an employee are actually all norms of labor law, but predominantly the norms on social partnership, on labor agreements, and on labor protection. Each of the above groups deserves multiple researches, but it is their unity that forms a special system of norms capable of restraining the organizational power of an employer over an employee, including by preventing the violation of employees’ labor rights.

In this paper we attempt to prove that it is the prevention of the employees’ labor rights violation that may restrain the organizational power of an employer over an employee and promote the reduction of the number of violations of both labor law and other normative-legal acts containing the labor law norms. The main institution comprising the majority of preventive measures is the institution of labor protection. It should be highlighted that the preventive measures cannot substitute the preclusion measures and the measures of liability for violating the employees’ labor rights, but they promote the reduction and probable elimination of the preclusion measures and the measures of liability if the preventive measures are actively introduced in the sphere of labor protection. Until recently, the system of preventive measures in the sphere of labor legal relations was not paid due attention in Russia. As a rule, the legal scholars thoroughly investigated the institution of employees’ labor rights protection, including the intersection of labor rights violations, their restoration, and eliminating obstacles in their implementation (L. A. Nikolaeva, T. A. Nesterova, T. A. Soshnikova), but not the institution of prevention the offenses in the sphere of labor. The result of such single-sidedness was the more severe system of punishing an employer for labor offenses, the lacking motivation of an employer to observe the labor law, and, as a consequence, the remaining high level of employees’ labor rights violation. The objective of the present research is to study the measures for preventing the labor rights violation in the sphere of labor protection, as measures legally limiting the power of an employer. To fulfill this objective, we consider it essential to analyze the preventive measures stipulated in the legislation, and to formulate the system of preventing the labor rights violation in the sphere of labor protection.

2. METHODS

The research is done with general scientific (analysis, comparison, summarizing) and specific scientific (literal and systematic interpretation of legal norms) methods. The research is based on scientific conceptions, publications of the Russian legal scholars, Russian labor legislation and other normative-legal acts containing the norms of labor law, which stipulate the measures for preventing the labor rights violation. Besides, the researchers’ conclusions are based on the data of statistical reporting of the Federal Agency on Labor and Employment (Rostrud) concerning the revealed facts of labor rights violation.

3. RESULTS AND DISCUSSION

The labor law of the 19th century is a law of flexible regulation of labor. Nowadays, it is not so important to overload the labor legal relations with excessive regulation, unduly limiting the freedom of their parties. Today, it is the interest of an employer in observing the labor law and other normative-legal acts containing the norms of labor law that is most valued. In Russia, such freedom of legal regulation of labor relations is appropriately implemented in the institutions of working time, vacation time, remuneration of labor, advancing qualification, etc. Within the norms of these institutions, flexibility of legal

regulation is not only necessary but is welcomed, as these norms contribute to the development of contractual regulation of labor relations.

Within the norms of such institutions as labor agreement, flexibility is not universally manifested. For example, stipulating the labor terms concerning remuneration of labor or working time, the parties may emphasize their flexibility. At the same time, the signing, changing or terminating of labor agreement does not display complete freedom of its parties. In particular, the right of an employer for refusing to sign a labor agreement is limited by the rules on the employees' labor qualifications; the right of an employer to transfer an employee to another working position corresponds to the written consent of the employee; the right of an employer for termination of a labor agreement is restrained by a well-defined list of grounds for dismissal. These restrictions of employer's rights, stipulated in the norms of labor law, are at the same time the factors of preventing the employees' labor rights violations, as they promote restraining of the employer's power, establishing the limits for their freedom.

At the same time, the Russian labor law contains also such institutions which assist only in preventing offenses in the labor sphere, and do not at all refer to the arbitrary regulation of the working conditions. Accordingly, these norms cannot be "flexible", but should be rigid and clear, as their main purpose is to prevent the violation of labor rights. This refers to the institution of labor protection.

Not accidentally, the Russian Ministry of Labor developed a draft law, which will be committed to the country's legislative body in spring 2018. The key idea of the draft law is the utmost significance of preventing violations in the sphere of labor protection. The reduction of a number of accidents, professional diseases and diseases like "professional lassitude syndrome" cannot be achieved without the preventive measures comprehensive for an employer. It is their lack, the inaction of an employer in this respect that will be administratively punished by the state labor inspectors.

The analysis of the Russian legislation on the labor protection allows classifying by several grounds: by content and by organization. For example, by their organization the preventive measures are classified into the external and internal ones. The internal measures are those implemented by an employer without any external assistance (organization of labor protection management system, distribution of individual protection means, milk, therapeutic prophylactic nourishment), while the external measures are those implemented by an employer with the assistance of external subjects (special expert estimation of the working conditions, special training of the labor protection rules).

By content, the preventive measures can be classified into economic, juridical and moral measures. The most numerous are economic measures. They include organizational, medical, and financial ones. The juridical preventive measures comprise measures of control and supervision. The moral preventive measures in the sphere of labor protection include, for example, recognition of the best employer. The above preventive measures form a system of measures preventing the labor rights violation in the sphere of labor protection. Below we consider them in more detail.

1) Economic measures of prevention offences in the sphere of labor protection.

Organizational measures are the most significant complex of measures which should be taken by an employer to prevent accidents, professional diseases of the employers and other violations of their rights in the sphere of labor protection. An employer must take these measures not only because their violation leads to an administrative fine, which is differentiated but significant for every employer. It is also important to promote one's image as an employer. Otherwise the employer, who does not take measures for preventing the labor

rights violations, will not be attractive for the qualified employees, which are in great demand today.

The organizational measures of preventing offense in the sphere of labor protection are the measures aimed at organization of labor protection by the employer for preventing accidents at work, professional diseases of the employers and other violations of their rights in the sphere of labor protection. In the authors' opinion, the organizational measures of preventing offense in the sphere of labor protection include such measures as: organization of labor protection management system, special expert estimation of the working conditions, special training of the labor protection rules, distribution of individual protection means, milk, therapeutic prophylactic nourishment, etc.

First and foremost, the organization of labor protection management system is a complex of elements establishing the policy and objectives in the sphere of labor protection. In 2016, the Russian Ministry of Labor developed and adopted a normative-legal act stipulating the Standard Statute of Labor Protection Management System (LPMS) [2]. LPMS is a local normative act adopted by an employer subject to the opinion of an employees' representative body, including trade unions [3]. It is the basic local normative act on labor protection, in force at the particular employer and stipulating organizational measures for offenses prevention.

The elements of the organization of labor protection management system are: well-defined distribution of duties of the officials; determining the plan of labor protection measures; presence of specific local normative acts on labor protection, adopted by an employer to develop LPMS, and the registering documents which confirm, for instance, the employees' awareness of the safety regulations, job descriptions, etc. All these elements of the organization of labor protection management system are consolidated in the LPMS and contribute to its thorough observance.

When analyzing the LPMS, one may ask how all the above elements may prevent the violations of the employees' labor rights in the sphere of labor protection. Apparently, the LPMS actually determines the employer's policy in the sphere of labor protection and contains just instructions for the parties on their rights and responsibilities for not allowing offense in the sphere of labor protection. Nevertheless, each element of the LPMS separately and all of them in unity are aimed at preventing the offenses. One may assert, for instance, that the employees' awareness of the safety regulations will, to a certain extent, prevent the illegal actions of an employee which may damage their health.

It should also be stated that the Russian legislation lacks norms on excluding the employers' liability in case of victimity of those injured in an accident at work. This problem is still understudied in the science of labor law as well. According to the Russian law, an employer is actually always guilty in case of an accident at work. Their guilt is somewhat reduced if the employee had been familiarized in writing with the rules of performing the works, but ignored the rules which led to the accident at work.

However, we consider it to be wrong to make the employer's officials accountable for the illegal behavior of the employees, i.e. for the victimized actions of the employees. In this case, the measures taken by an employer (for example, familiarizing employees with the rules of performing the works), i.e., the measures for preventing offenses in the sphere of labor protection, turn out to be abeyant. In our opinion, the global practice should distinguish the liabilities of an employer and the employee who acted victimlike, and thoroughly establish the guilty conduct of a person in case of an accident at work. Similar procedure should be applied in case of professional diseases of employees.

Another measure for preventing the offenses in the sphere of labor protection is special expert estimation of the working conditions aimed at preserving the employees' health and providing safe conditions of their labor. Basing on the Federal Law on special estimation of the working conditions, the harmful and/or dangerous factors of the working environment and labor process are identified, and the level of their impact on an employee is estimated, taking into account the inclination of their actual values from the stipulated working conditions and the use of protective means [4].

Special estimation of the working conditions is performed by an employer once in five years, except the cases requiring extraordinary special estimation. An employee is familiarized with the results of special estimation of the working conditions in writing, by signing a labor agreement in which the working conditions are specified. In other words, an employee must know in which working conditions they are performing their labor activity. It should be emphasized that employees are only concerned with harmful or hazardous working conditions, as optimal and permissible working conditions do not incur any negative consequences for health.

The harmful or hazardous working conditions are divided into classes, mandatorily indicated in a labor contract. These determine the bonuses and compensations for the employees to reimburse the damaged health. For example, class 2 of harmful working conditions gives an employee the right for extra payment (4%, 8%, and 12% of the salary a month for the 2, 3, 4 classes of working conditions, respectively), class 3 of harmful working conditions gives an employee the right not only for extra payment but for the additional vacation as well (as a rule, 7 calendar days), and the 4th class of harmful working conditions guarantees the right for extra payment, additional vacation days and reduced working time (from 24 to 36 hours a week).

As the preventive measures should be prioritized compared to protective measures and punishment, the approach to the requirements to labor protection specialists should be altered as well. This can be done by means of mandatory independent estimation of their qualification [5], in other words, by performing a professional examination for labor protection specialists, which is much more beneficial for an employer than training the labor protection specialists every 3 years, without any guarantee of their mastering the curricula. The labor protection specialists, trained every 3 years, get certificates actually without any significant examination of their knowledge. Introduction of a professional examination every 5 years will increase both their competitiveness in the labor market and their knowledge of requirements in the sphere of labor protection.

Another means of preventing the labor rights violation in the sphere of labor protection, namely, a preventive measure for reducing the rate of accidents and professional diseases, is teaching the principles of labor protection to employees [6]. In compliance with Art. 225 of the Labor Code of the Russian Federation [7], all employees must be taught labor protection and checked for the knowledge of the labor protection requirements. The means of preventing the labor rights violation in the sphere of labor protection include also the provision of the employees with the individual protection equipment.

To minimize the impact of negative factors on the employee's health and to prevent accidents at work, the employer must, depending on the working conditions, provide the employees with special clothes, footwear and other means of individual protection (for example, isolating suits, means for protecting hands, head, eyes, respiratory apparatus, ears, etc.) [8]. The protection means must undergo mandatory certification and avowal.

The Russian legislator clearly defines which protection means the employer must provide, to which employees and at which periods; it is stipulated that the washing, ironing,

drying, and disinfection of these means is provided at the expense of the employer. This is one of the significant means of preventing the labor rights violation in the sphere of labor protection. Besides providing the individual protection means, the employer must: install the devices for providing the workers of hot workshops with gas-cut salt water; at work places with harmful working conditions, give out milk free of charge according to the established norms (0.5 liters a day); at work places with especially harmful working conditions, provide treatment-prophylactic nutrition free of charge according to the established norms.

The medical means of preventing the labor rights violation in the sphere of labor protection include, for example, medical examinations of the employees; provision of sanitary-communal service of the employees and their mandatory medical insuring by the employer. In order to detect the professional diseases in due time, certain categories of employees undergo medical examinations. For example, the employees in the sphere of transport, working under harmful and/or hazardous conditions, must undergo medical examinations at the periods stipulated by the legislator.

In compliance with Art. 223 of the Labor Code of the Russian Federation, an employer must provide sanitary-communal and medical servicing of the employees. To prevent the labor rights violation, an employer equips sanitary-communal premises, premises for rendering medical assistance, for taking meals, and for rendering first aid. According to Art. 57 of the Labor Code of the Russian Federation, to secure the employees' health and to prevent their professional diseases, an employer stipulates in the labor contract the mandatory medical insurance of an employee and transfers the insurances premiums to the relevant funds.

The financial measures for preventing violations in the sphere of labor protection are represented by the relevant charges of the employer for implementing the labor protection measures. This is one of the preventive measures to avoid accidents and professional diseases at work. As is stipulated in Art. 226 of the Labor Code of the Russian Federation, financing of the labor protection measures must amount not less than 0.2% of the production (work, service) costs. These charges of an employer can be changed at the level of social partnership [9]. For example, a sectoral agreement or a collective agreement may stipulate a larger sum assigned by an employer for implementing the labor protection measures. This money can be used for financing a special estimation of the working conditions, for introduction of systems for reducing the harmful and hazardous factors influencing the employees' health, for organization of training and checking the knowledge of specialists in the sphere of labor protection, for medical examinations, etc. [10].

2) The juridical preventive measures comprise supervision and control measures.

The supervision measures for preventing violations in the sphere of labor protection are implemented by a federal labor inspection through federal supervision over all employers entering the labor relations with employees. Upon revelation of violations of the labor legislation or other normative-legal acts containing the norms of labor law, a governmental labor inspector issues directions mandatory for the employer, and institutes administrative proceedings against the employer; these are, as a rule, an administrative fine. However, the Code of the Russian Federation on Administrative Offenses (CRFAO) [11] stipulates, among the punishments for such violations, also warning, administrative suspension of activity and disqualification. The latter two punishments can be assigned by court only. According to Art. 3.1 of CRFAO, the aim of administrative punishment is preventing new offenses, thus, instituting administrative proceedings against the employer for an offense, including in the

sphere of labor protection, can be considered a preventive measure regardless of the type of administrative punishment.

Today, the supervision bodies of the state, including Rostrud, implement their planned powers in the form of risk-oriented approach. This means that the federal labor inspection checks the employers according to their risk categories: high, significant, intermediate, moderate, low. If the employer belongs to the high-risk category, the federal labor inspection checks them once in two years; significant risk category – once in three years; intermediate risk category – not oftener than once in five years; moderate risk category – not oftener than once in six years. The employers belonging to the low risk category do not undergo the scheduled checks by the federal labor inspectors [12].

It should be emphasized that the risk-oriented approach in implementing the authorities of the federal labor inspection is only applied to scheduled checks. The out-of-schedule checks, including investigations of accidents at work, are carried out in compliance with the Labor Code of the Russian Federation and the ILO Convention no. 81 – “Labor Inspection Convention” [13]. Analysis of these documents shows that the labor inspectors can apply preventive measures for the employer to amend the violations of the legislation (Art. 17). Art. 16 of the ILO Convention distinctly stipulates the thoroughness and frequency of inspections, if there is a need to effectively apply the legislation. As this norm has an ambiguous meaning, Rostrud, initiating the risk-oriented approach, decided that the efficiency of the legislation application is identical to its validity and necessity. This enabled to provide the identity of the risk-oriented approach to the efficiency of the legislation application.

Another Rostrud’s measure for preventing violations of labor rights consists of the necessity to apply checking lists by governmental labor inspectors when performing the scheduled checks. Today, there are 107 checking lists; there are going to be 154 of them [14]. The control measures for preventing violations in the sphere of labor protection are described in the Conception of increasing the efficiency of observing the labor legislation and other normative-legal acts containing the norms of labor law (2015 – 2020) (further – Conception) [15]. These include the formation and propagating of the internal system of control over the employers’ observing the labor legislation. This system is arranged and functions as a special department of the employer, executing control over the employees.

Rostrud proposes the system as a “self-inspection mode” including the information measures, performing checks with checking lists and active use of the “Digital Inspector” (digital service of Rostrud) by an employer. Information measures are actively introduced through the service of informing the employers and employees on the issues of observing the existing legislation. This state service is provided by the governmental labor inspectors on a written or oral request at the premises of a labor inspection or at multi-functional centers. Introduction of a system of checking lists during scheduled checks is one of the measures for preventing violations in the sphere of labor protection, stipulated by the Convention as the main measure. This measure corresponds to the principle of objectivity stipulated in Art. 355 of the Labor Code of the Russian Federation [16]. Since January 1, 2018, the federal labor inspection applies the checking lists only in relation to the employers of moderate risk category, while since July 1, 2018, it will be applied to all employers.

Performing checks with the “Digital Inspector” service will allow the employer to reveal the violations of legislation, including in the sphere of labor protection. The employees may also use this service, which will provide the clear comprehension of all requirements of a governmental labor inspector. The internal control carried out with the “Digital Inspector” service is intended to help both an employer and an employee to prevent violations of labor legislation. It is planned to use the data, fed by the employer to the “Digital Inspector” for

creating the mechanism of inciting those employers who provide complete observance of legislation, including in the sphere of labor protection. Therefore, Rostrud will only have to ensure control over the reliability of the data fed by the employer to the “Digital Inspector” and to determine their liability.

Apparently, the above listed preventive control measures, propagated and actively introduced by Rostrud, form a system of internal control over the employers’ observance of labor legislation. Also, the Conception proposes to exclude the employers’ resources assignment for special training of their employees or for involving the labor law specialists on civil-legal contractual basis. We believe that it is irrelevant to exclude professionals in the sphere of labor law, who are now involved by the employers. One of the reasons for that is that the employers’ mistakes should be corrected prior to checks (preventive measures), not during or after the checks.

At the same time, taking the new legislation onto account, an employer may include the measures of control over the employees’ fulfillment of their duties (like human resources, accounting, labor protection department and other departments) into the system of internal control over the observance of labor legislation, i.e., to create a special department. Such internal control over the observance of legislation, aimed at minimizing the risks related to inobservance of the legal requirements, is called compliance in the global practice. The actively developed spheres are compliance in banking [17, 18], anti-corruption compliance [19, 20, 21], anti-monopoly compliance [22], investment compliance [23]. Methodological recommendations are elaborated for preparing and implementing the preventive measures aimed at eliminating the violations of mandatory requirements. These recommendations can be called the legal basis for compliance approach to activity, including that of the employers [24]. The recommendations set the forms, methods, order of compliance control, organization of the Compliance Department functioning.

Earlier, we have studied the issue of compliance control in the employer’s activity, using the term “labor compliance” and interpreting it as a system of preventing the labor rights violations, as minimization of compliance-risks of an employer is only possible implementing preventive measures [25]. It is proposed to distinguish between mandatory and voluntary compliance-control of an employer. The mandatory compliance-control is carried out by an employer as a requirement of the legislator (for example, anti-corruption compliance [19, 20], internal control of economic operations [26], control over the damage callable from an employee: Art. 247 of the Labor Code of the Russian Federation). The voluntary compliance-control is carried out by an employer in accordance with the local normative acts adopted by the employer with the account of the opinion of the employees’ representative body. As a rule, it comprises internal checks and financial investigations.

Unfortunately, the formation of a voluntary internal control system (labor compliance) is a good will of an employer, while the significant financial expenses negatively influence its introduction. At the same time, the Rostrud’s position aimed at stimulating the functioning of labor compliance, will apparently positively influence the employers who will have a motivation for its introduction.

3) Moral measures for preventing violations in the sphere of labor protection.

Today, one should not forget about the moral incentives for those employers who observe the labor legislation and other normative-legal acts containing the norms of labor law. Sometimes, where the sanctions of the federal labor inspection are unable to eliminate violations, the moral incentives work miracles, especially if combined with economic preventive measures. Thus, the objective of Rostrud activity up to 2020 is, among other

things, creating conditions for promoting the employers' motivation for observing the requirements of labor legislation [15]. One of the probable measures to motivate an employer who fully observes the labor protection legislation is excluding such an employer from the list of control by a supervision body – a federal labor inspection, or reducing the risk category of the employer. Such forecast is partially based on the latest changes in the legislation. In particular, the Decree of the RF Government specifies the criteria for changing the risk category of employers. The category may be changed to the lower one, and the frequency of checks will be accordingly reduced, if there were no lethal accidents in three years, no grave accidents in one year, if the salaries are duly paid and there were no administrative punishments imposed according to Art. 5.27 and 5.27.1 (for violation of labor protection legislation) of CRFAO [12]. The changes in risk categories are made annually and published in the Rostrud website.

To define the measures of inciting the employers who introduce the internal system of control over the labor protection legislation observance is an objective of Rostrud development [15]. One of the currently applied measures for preventing violations in the sphere of labor protection is the one applied by the federal labor inspection to the employers who fully observe the labor protection legislation – announcing the “Best employer” competition and publishing the information about its winners in the official Rostrud websites in the RF subjects. Limitation of an employer's power may take place in different ways. First, it can be done by punishing an employer for the labor offense. Second, the violations of the employees' labor rights can be prevented. In terms of labor protection, one may state that, not diminishing the significance of the first means, the second one should be regarded most promising.

The approach described in the present paper, aimed at the advantage of measures for preventing violations in the sphere of labor protection is probably disputable, but its prospects are quite clear. This is all the more so as the draft law prepared for the Russian Ministry of Labor for viewing by the legislative body of Russia is also directed towards the primacy of preventive measures in the sphere of labor protection. At the same time, it should be taken into account that, first, the preventive measures in the sphere of labor protection accompany an employer throughout their working activity, and second, they do not substitute the preclusive measures in the sphere of labor protection and the measures for making an employer answerable for violations of the employees' labor rights. As a rule, preventive measures should be carried out by the employer, as providing safe working conditions is the responsibility of an employer; the preclusive measures are carried out by the employer or the supervisory body, and the responsibility measures – by the supervisory bodies only. That is why the main load on preventing the labor rights violation in the sphere of labor protection is imposed on the employer, i.e., the employer, actively introducing the preventive measures, promotes the significant reduction of the necessity of preclusive and responsibility measures.

For instance, a measure for prevention of an accident at work is a labor protection instruction rendered to a newly hired employee (Art. 225 of the Labor Code of the Russian Federation). This is a really effective measure for preventing the labor rights violation. In case of such violation as the absence of a labor protection instruction, the employee must be removed from work to preclude the offense (Art. 76 of the Labor Code of the Russian Federation), while the employer must undergo administrative punishment as a measure of administrative liability for the revealed offense in the sphere of labor protection (Art. 5.27.1 of CRFAO).

4. CONCLUSIONS

As a result of this research, we assert that the active introduction of preventive labor protective measures by an employer will facilitate the quantitative reduction of the need to implement the preclusive and liability measures. For an employer this means the effective observance of liabilities, and for an employee – safe working conditions aimed at preserving their health and preventing accidents.

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