

NewsFlash

Tax and Legal

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Dear readers,

Amendments¹ to the Labor Code adopted in May 2020 introduced an obligation for employers to register information on employment contracts into the unified employment contracts system (hereinafter the "System"). The draft Rules on the Provision and Receipt of Information on Employment Contracts in the Unified Employment Contracts System (hereinafter the "Rules") are currently undergoing an approval process. We offer you a short overview of some of the most important provisions of the draft Rules.

In accordance with the requirements of the Labor Code, employers are obligated to register in the System information on the conclusion and termination of employment contracts, as well as information on amendments and/or addenda to employment contracts.² The draft Rules establish that the obligation to register employment contracts will begin after the Rules enter into force. Employer will be required to enter information on newly concluded employment contracts into the System within five business days from the date of conclusion of the employment contract. Information on existing employment contracts should be entered into the System:

- within one year from the date of adoption of the Rules - for companies with up to 3,000 employees;
- within two years from the date of adoption of the Rules - for companies with more than 3,000 employees.

The following information is mandatory for entry into the System:

1. identification details of the parties;
2. the employee's employment function (specialization, position);
3. work location;
4. the term of the contract;
5. work commencement date;
6. date of conclusion and serial number of the contract.

An employer will be required to enter information on amendments/addenda or on termination of an employment contract into the System within three business days from the date of signing the amendments/addenda or from the date of termination of the employment contract.

To enter information into the System, employers may integrate their personnel information systems with the System to automatically transfer the data. Alternatively, employers may enter the employment contracts data into the System via the state Internet resource³ **Labor Exchange**. An employer must authenticate the entered data with an electronic digital signature.

An individual's employment information entered into the System will be reflected on the individual's personal page on the e-government portal (in the **Employment** section).

¹ Law No. 321-VI of the Republic of Kazakhstan *On Amendments and Addenda to Certain Legislative Acts of the Republic of Kazakhstan on Labor Issues*, dated 4 May 2020

² Point 2.27 of Article 23 of the Labor Code

³ www.enbek.kz

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