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RIGHTS AND LEGALLY PROTECTED INTERESTS OF EMPLOYEES: HISTORIOGRAPHY AND PROTECTION POTENTIAL

The article attempts to analyze the conciliatory and mediatory experience of such a grassroots state body overseeing the implementation of factory legislation and maintaining order at industrial enterprises, such as the factory inspection. During a pandemic, in the context of changing labor relations, the problem of protecting rights and protected legitimate interests becomes especially relevant. Defines the forms of protection of rights and legally protected interests of workers in the form of: administrative; public; conciliation, mediation, arbitration; arbitration proceedings, officials of the prosecutor's office; Department of State Labor Inspection; trade unions; meditative; notarial and self-defense. The author identifies and proposes filling in potential legal gaps.

Keywords: *factory industry laws; adopting factory inspection functions; workers' rights and legally protected interests; forms of protection; filling potential legal gaps.*

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ПРАВА И ОХРАНЯЕМЫЕ ЗАКОНОМ ИНТЕРЕСЫ РАБОТНИКОВ: ИСТОРИОГРАФИЯ И ПОТЕНЦИАЛ ЗАЩИТЫ

В статье предпринята попытка проанализировать примирительно-посреднический опыт работы такого низового государственного органа надзора за исполнением фабрично-заводского законодательства и сохранением порядка на промышленных предприятиях, каким была фабричная инспекция. В период пандемии, в условиях изменяющихся трудовых отношений проблема защиты прав и охраняемых законных интересов приобретает особую актуальность. Определяются формы защиты прав и охраняемых законом интересов работников в виде: судебной; административной; общественной; примирения, посредничества, арбитража; третейского разбирательства, должностных лиц органов прокуратуры; Департамента государственной инспекции труда; профессиональных союзов; медиативной; нотариальной и самозащиты. Автором выявляется и предлагается заполнение потенциальных юридических лакун.

Ключевые слова: *законы фабрично-заводской промышленности; заимствование функций фабричной инспекции; права и охраняемые законом интересы работников; формы защиты; заполнение потенциальных юридических лакун.*

Introduction. As stated in the Charter of the International Labor Organization (hereinafter — the ILO), the most important principle of social justice is that labor is not a commodity. This means that labor relations are not limited to the issue of wages and other material benefits. At the same time, this one of the fundamental principles of the ILO is closely related to the realization of the rights and legally protected interests of workers, including the right to consider and resolve labor disputes in the context of changing labor relations, in a pandemic.

Main part. The first forms of expression of the mechanism for the realization of the rights and legally protected interests of workers, the so-called prototypical legislative regulation of relations between workers and employers, were laid with the adoption on May 24, 1835 of the Regulation «On the relationship between the owners of factory establishments and workers who are hired» [1].

Revolutionary events, strikes, protests, workers' demonstrations, the sad picture of the hard life of the factory workers, twelve or more hours of working hours, the uncertainty of the mutual rights and obligations of workers and manufacturers, wages much lower than in Europe [2]. All this significantly influenced public opinion, state policy, the introduction of labor legislation, the creation of the lowest body for overseeing the observance of labor legislation — the factory inspection to determine the mechanism for the implementation of legal means, methods and forms of restoration of violated rights and protected legitimate interests.

In the development of the regulation on the regulation of relations between workers and employers, Professor of Moscow University Ivan Ivanovich Yanzhul was appointed the first factory inspector of the Moscow district. He explained his consent to take this position «with the aim of getting to know the factory and working life better and bring all possible benefit to the good intention of the government» [3, p. 17].

But in addition to this victory, according to the law of June 1, 1882 «On minors working in factories, factories and manufactories» (hereinafter — the Law of 1882) [4], it was the factory inspectors who were assigned a number of duties: to monitor compliance with the law on the use of «immature labor» in industrial production; oversee the provision of primary education opportunities for young workers by manufacturers; draw up reports on violations of the law and send manufacturers to the courts; present a charge in court against violators of the provisions of the Law of 1882. Those guilty of violating the Law of 1882, owners, managers or managers of industrial establishments could be subject to imprisonment for up to one month or a pecuniary penalty of up to 100 rubles [5, p. 122].

However, half-measures could not satisfy the workers: strikes and unrest flared up more and more. Outward calm was achieved only with the help of military force.

Workers' solidarity was most expressed in the Morozov strike of 1885, when 8,000 workers immediately went on strike at the factory of the Nikolskaya manufactory of Savva Morozov in Orekhov-Zuev. One of the main reasons for the workers' indignation was the systematic abuse of fines, which, reaching more than 300,000 rubles a year, accounted for up to 40 % of wages paid. The strike was accompanied by a pogrom of factory buildings. Troops were called in, arrests and deportations began. When the strike ended a week later, the arrested were put on trial by a jury, who acquitted all the accused. The court revealed a lot of abuse by the factory administration [6, p. 38–39].

As for practice, the provisions and special laws on the factory industry were poorly applied, they were not sent to enterprises, they were not known to entrepreneurs, especially workers, even by representatives of the state — they were interpreted by factory inspectors in different ways. The involvement of the police in establishing relationships between owners and workers was due to the lack of a mechanism for the implementation of rights and legally protected interests. And as a result, the only defense mechanism was strikes and riots, the settlement of which was the responsibility of the police [7, p. 102]. Leaving to restore order, the police, and sometimes its higher ranks, went over to the side of the workers, forcing the owners to make separate concessions. The instrument of pressure was the «open sheets» (administrative instructions) of the governors-general or material assistance to workers participating in strikes [8].

Adopted four years later, on June 3, 1886, the law «On the Draft Rules on the supervision of the establishments of the factory industry and on the mutual relations of factory owners and workers and on the increase in the number of officials of the factory inspection» (hereinafter — the Law of June 3) [9], the formation of a mechanism for the implementation of the rights and legally protected interests of workers, the establishment of restrictive measures of a state-police nature in relation to direct abuses by the owners (manufacturers), bringing them to justice in a judicial or administrative order.

The main goal of the June 3 Law is to change the nature and forms of relations between the worker and the owner, to put all manufacturers in the same conditions of competition,

which explains the complete absence of articles on the economic independence of workers in it. The need to weaken the labor movement served, albeit in part, as a motivation for the settlement of the relationship between wage workers and entrepreneurs [10]. The relations in the field of labor recruitment were streamlined, in particular those related to the terms of the contract, living conditions, industrial accidents, illness, the establishment of penalties for non-compliance and violation of contractual obligations by the parties, the use of the right to judicial protection by the parties.

The law on June 3 was introduced gradually, as the activities of the factory inspection bodies spread across the territory of different provinces[1]. Adopted in the provinces on the basis of the Law of June 3, «Regulations on the supervision of the establishments of the factory industry and on the mutual relations of factory owners and workers and on the increase in the number of ranks of the factory inspection» (hereinafter — the Rules), entrusted the local provincial administration with the assistance of the officials of the factory inspection to supervise observance at factories and plants of proper improvement and order. These rules were worked out by a special Commission, established by imperial command, chaired by a senator, then Secretary of State V. K. Plehve, moreover, this Commission found that the law on the rights and obligations arising from the contract of employment of factory workers, can lead to useful consequences only when its execution is placed under the supervision of factory inspectors. From that moment onwards, the factory inspection becomes the most important grassroots state body for overseeing the implementation of factory legislation in the mechanism of exercising the rights and protecting the legitimate interests of workers.

With the approval of the Factory Law on June 3, 1886, which, according to I. I. Yanzhula, the first most important monument of labor legislation, begins to establish and streamline the essential aspects of mutual contractual relations between workers and their employers or masters [11, p. 225]. The law of July 3, 1886 established the terms of reference of factory inspectors, entrusting them with a number of new functions, in particular, overseeing the implementation of the Law on June 3, in the form of: a compromise function — when analyzing claims, factory inspectors tried to reconcile the parties through negotiations, consultations, refusal from confrontation and prevention of social conflicts; management function — according to which they summarized the protocols on violations of the Law on June 3 and transferred information to the provincial factory presence, to the magistrate or district court by affiliation. So, for violation of articles of the Law on June 3, factory owners were punished with a fine of up to 300 rubles, and the managers of a factory or plant were arrested for up to three months and could be deprived of the right to manage an industrial institution [5, p. 123–124].

The Law and Regulations of 1886, as it were, sanctioned all those demands that the Morozov workers put forward when they began their strike. Pay books were introduced; unauthorized fines are prohibited, and the amount of those had to be approved by factory inspectors; it is prohibited to issue payments with goods and coupons; the obligation was made to pay wages at least twice a month; it was forbidden to make deductions to pay off debts.

Simultaneously with the promulgation of the law on June 3, 1886, the rules were approved on the hiring of workers in factories, plants and manufactories and special decrees on the mutual relations of manufacturers and workers and on the supervision of the establishments of the factory industry, represented by the officials of the inspection and the presence of factory affairs. … In those same years, the workers waged a systematic struggle to destroy night work. Under the influence of first small strikes in individual factories, and then a big strike in the fall of 1888 in all factories of the Shuisky district — the manufactu-

[1] From October 1, 1886 — to St Petersburg, Moscow, Vladimir provinces, from 1891 — to Warsaw and Petrokovsk provinces, from 1894 — to Volyn, Grodno, Kiev, Kostroma, Liflyandskaya, Nizhny Novgorod, Podolskaya, Ryazan, Tver, Kharkov, Kherson, Estland and Yaroslavl provinces, from 1897 (in two steps) — to the other 42 provinces of European Russia and the Kingdom of Poland, from 1900 — to Baku province, from 1902 — to Tiflis, Kutaisi and Black Sea provinces, from 1904 — to the Batumi region and the Sukhum district, finally, from 1912 — to the Stavropol province and the Terek and Kuban regions.

rers gave in, night work was canceled, however, at first by increasing the length of the working day by one hour, but then the workers succeeded in 1893 d. to achieve a reduction in working time by one hour.

Currently, relations associated with the implementation of the mechanism for protecting the rights and legally protected interests of employees, including the right to consider and resolve labor disputes, have defects in the following form. In labor law, two forms are usually distinguished: jurisdictional and non-jurisdictional.

The jurisdictional forms of protection of rights and legally protected interests with certain exemptions include: judicial, administrative, public. The judicial form of protection of rights and interests protected by law is universal: it will allow an employee or employer to restore his violated right by going to court, and also provides the possibility of compulsory execution of a court decision. The administrative form of protection provides for protection by bodies vested with powers of authority. The legal basis for the administrative form of protection is Art. 9.16–9.18 of the Code of Administrative Offenses [12]. The social form implies the protection of rights and legally protected interests by trade unions. Public relations are governed by Art. 463 of the Labor Code of the Republic of Belarus (hereinafter — TC) [13]. In accordance with Art. 10 of the Law of the Republic of Belarus of 22.04.1992 № 1605-XII «On Trade Unions» [14] trade unions protect the labor rights of their members, make proposals on social protection of persons dismissed from organizations, in accordance with the collective agreement (agreement) and labor legislation [15, p. 487–494].

It is also noteworthy that there is still no consensus on this issue regarding public organizations and trade unions as structural elements of the jurisdictional form of protection of rights and legally protected interests.

Understanding jurisdiction as the law enforcement activity of all state and public bodies, for example V. P. Volozhanin acknowledges that compliance with procedural norms is a guarantee of ensuring the rule of law when considering legal disputes in administrative and public bodies. At the same time, the author formulates the principles of legal disputes by public jurisdictional organizations: gratuitousness of public proceedings; the ability of interested persons to apply to state forms of protection; state control over the jurisdictional activities of public bodies.

At the same time, among the jurisdictional public bodies, the scientist considers the activities of comrades' courts, commissions on labor disputes, trade union committees and arbitration courts organized by agreement of citizens or organizations, believing that in the future, the role of public bodies in protecting the rights and legitimate interests will steadily increase [16, p. 365]. According to T. A. Sigayeva, a legal dispute is a conflict about rights and obligations or interests protected by law. A legal dispute is formed when the conflict of interests of the parties reaches the limit of aggravation, in which it manifests itself in the expression of the will of one of the parties to protect the rights or legally protected interests [17, p. 19].

In the context of changing labor relations, legal regulation is in constant development, as evidenced by the adoption of the Law of the Republic of Belarus dated July 18, 2019 № 219-3 [18]. Cardinal transformations have affected the established categories, as well as systemic institutions. At the same time, there have been no significant changes in the mechanism for ensuring the protection of the rights and interests of employees protected by law, as long as the regulation remains unchanged. In fact, only Ch. 17 of the Labor Code, in which the definition of the concept of «individual labor dispute» appeared.

The main disadvantage of the Labor Code is that the legislator has lost sight of all the variety of currently existing methods of protecting rights and legally protected interests, both actually functioning and potential gaps.

It is characteristic that non-jurisdictional forms of protection should include: the activities of conciliation, mediation and arbitration bodies, these bodies are directly named in Art. 251 TC, but unfortunately, they have not yet been created and are not functioning. Ar-

bitration proceedings, although the Labor Code does not contain information on arbitration courts due to the entry into force of the Law «On Arbitration Courts» [19].

Also, activities to protect the rights and legally protected interests are carried out by the prosecutor's office, officials of the Department of State Labor Inspection, trade unions, through mediation procedures, a notarial form of protection of rights (the main task of the notary is to ensure the protection of the rights and legitimate interests of citizens and legal entities by performing notarial actions) and self-defense by employees of their labor rights and legally protected interests, but it is worth noting that the term «self-defense» of the Labor Code does not use [20, p. 44].

Considering self-defense, in connection with the spread of COVID-19 infection in the Republic of Belarus, self-defense has become an urgent form of protection of rights and legally protected interests. We also note that self-defense issues are not regulated in the Labor Code and are found in the form of disparate norms, in this regard, the question naturally arises of what an employee can do to protect rights and legally protected interests. The opinion is expressed that it is advisable to use the progressive experience of the Russian Federation in this area [21, p. 23–24]. For example, according to Art. 379 of the Labor Code of the Russian Federation (hereinafter referred to as the LC therefore) [22], the employee is given the right to refuse to perform work that is either not provided for by the employment contract, or directly threatens his life and health, with the exception of cases provided for by the LC RF and other federal laws.

We believe that from this legal norm it follows that the self-protection of the subjective rights of the employee is carried out by his failure to comply with the employer's order, which violates his rights and legally protected interests [23, p. 83–86].

So, in order to protect the rights and legally protected interests of employees, it is necessary to establish at the level of law jurisdictional and non-jurisdictional forms of settlement of disagreements, consideration and resolution of labor disputes.

Conclusion. In the 19th century, the time period between 1835–1886, only legislative interference and administrative tutelage were recognized, in connection with which the police point of view prevailed, but not the social one that existed at that time in the West in the field of industrial labor. At the same time, the activities of the inspectorate were slowly transformed and progressively institutionalized until the identification and filling of potential legal gaps in protecting the rights and legally protected interests of workers.

Although the establishment of social peace and harmony instead of struggle and discord, the situation and special laws of the factory industry did not have a social content. With some reservations, but the evolutionary path of the inspectorate's activities contributed to the establishment and maintenance of social harmony, peaceful consideration and resolution of social and labor conflicts.

The existing legal potential of legal gaps, a sufficient variety of forms of protection of rights and legally protected interests of workers can be represented in the form of: conciliation, mediation, arbitration; arbitration proceedings, participation of officials of the prosecutor's office, the Department of State Labor Inspection of the Ministry of Labor and Social Protection of the Republic of Belarus; mediation; notarial form of protection and self-defense.

Sources

1. Об отношениях между владельцами фабричных заведений и рабочими, приходящими к ним по найму // Полное собрание законов Российской империи. Собрание Второе : в 55 т. — СПб. : Тип. II Отд-ния Собств. Его Императ. Величества Канцелярии, 1836. — Т. X. Отд-ние 2. 1835 г. Ст. 8157.

2. *Peskov, P. A.* Factory life of the Vladimir province : Report for 1882-1883 of the factory inspector on the occupations of young workers of the Vladimir district / P. A. Peskov. — St Petersburg : Typ. V. F. Kirshbaum, 1884. — 136, 69 p.

Песков, П. А. Фабричный быт Владимирской губернии : Отчет за 1882–1883 гг. фабричного инспектора над занятиями малолетних рабочих Владимирского округа / П. А. Песков. — СПб. : Тип. В. Ф. Киршбаума, 1884. — 136, 69 с.

3. *Yanzhul, I. I.* From the memoirs and correspondence of the factory inspector of the first call. Materials for the History of the Russian Workers Question and Factory Legislation / I. I. Yanzhul. — St Petersburg : Typ. of the joint-stock company Brockhaus-Efron, 1907. — 229 p.

Янжул, И. И. Из воспоминаний и переписки фабричного инспектора первого призыва. Материалы для истории русского рабочего вопроса и фабричного законодательства / И. И. Янжул. — СПб. : Тип. акц. общ. Брокгауз-Ефрон, 1907. — 229 с.

4. О несовершеннолетних, работающих на фабриках, заводах и мануфактурах // Полное собрание законов Российской империи. Собрание Третье : в 33 т. — СПб. : Гос. тип., 1886. — Т. II. 1882 г. Ст. 931.

5. *Glazunov, S. R.* The role of factory inspection in the implementation of labor legislation in Russia at the end of the 19th century / S. R. Glazunov // Sci. Bull. of Belgorod State Univ. Ser.: History. Political science. — 2009. — № 12. — P. 121–128.

Глазунов, С. Р. Роль фабричной инспекции в реализации трудового законодательства России в конце XIX в. / С. Р. Глазунов // Науч. ведомости Белгород. гос. ун-та. Сер.: История. Политология. — 2009. — № 12. — С. 121–128.

6. Архив истории труда в России, выпускаемый Ученой комиссией по исследованию истории труда в России : в 3 кн. — Петроград : 1921. — Кн. 2. — 160 с.

7. *Kavtorin, V. V.* The first step to disaster: 9 January 1905 / V. V. Kavtorin ; ed. E. B. Nikonorova. — St Petersburg : Lenizdat, 1992. — 428 p. (Historical library «Petersburg — Petrograd — Leningrad: a chronicle of three centuries»).

Кавторин, В. В. Первый шаг к катастрофе: 9 января 1905 года / В. В. Кавторин ; ред. Е. Б. Никонорова. — СПб. : Лениздат, 1992. — 428 с. — (Историческая библиотека «Петербург — Петроград — Ленинград: хроника трех столетий»).

8. *Buchbinder, N. A.* Zubatovschina and the Labor Movement in Russia / N. A. Buchbinder. — Moscow : Publ. House of the All-Union Soc. of Polit. Prisoners and Agr. Settlers, 1926. — 64 p. — (Cheap library of the magazine «Penal Servitude and exile»).

Бухбиндер, Н. А. Зубатовщина и рабочее движение в России / Н. А. Бухбиндер. — М. : Изд-во Всесоюз. о-ва полит. каторжан и с.-х. поселенцев, 1926. — 64 с. — (Дешевая библиотека журнала «Каторга и ссылка»).

9. По проекту Правил о надзоре за учреждениями фабричной промышленности и о взаимоотношениях фабрикантов и рабочих и об увеличении числа чинов фабричной инспекции : Закон Рос. Империи, 3 июня 1886 г. // Полное собрание законов Российской империи. Собрание Третье : в 33 т. — СПб. : Гос. тип., 1887. — Т. IV. 1884 г. Ст. 3769.

10. *Sobolev, S. A.* The history of the formation of a labor contract in Russia / S. A. Sobolev // State and Law. — 2002. — № 2. — P. 93–102.

Соболев, С. А. История становления трудового договора в России / С. А. Соболев // Государство и право. — 2002. — № 2. — С. 93–102.

11. *Yanzhul, I. I.* Memories of I. I. Yanzhula about what he experienced and saw in 1864–1909 / I. I. Yanzhul. — Moscow : State Publ. Hist. Libr. of Russia, 2006. — 458 p.

Янжул, И. И. Воспоминания И. И. Янжула о пережитом и виденном в 1864–1909 гг. / И. И. Янжул. — М. : Гос. публич. ист. б-ка России, 2006. — 458 с.

12. Кодекс Республики Беларусь об административных правонарушениях [Электронный ресурс] : 20 мая 2003 г., № 117-З : принят Палатой представителей 17 дек. 2002 г. : одобр. Советом Респ. 2 апр. 2003 г. : с изм. и доп. от 18 дек. 2019 г. № 276-ФЗ // КонсультантПлюс. Беларусь / ООО «ЮрСпектр», Нац. центр правовой информ. Респ. Беларусь. — Минск, 2020.

13. Трудовой кодекс Республики Беларусь [Электронный ресурс] : 26 июля 1999 г., № 296-З : с изм. и доп. от 18 июля 2019 г. № 219-З // КонсультантПлюс. Беларусь / ООО «ЮрСпектр», Нац. центр правовой информ. Респ. Беларусь. — Минск, 2020.

14. О профессиональных союзах [Электронный ресурс] : Закон Респ. Беларусь, 22 апр. 1992 г., № 1605-XII : в ред. от 13.07.2016 г. № 397-З // КонсультантПлюс. Беларусь / ООО «ЮрСпектр», Нац. центр правовой информ. Респ. Беларусь. — Минск, 2020.

15. *Nikhaichik, O. L.* Forms of protection of labor rights and legal interests of citizens of the Republic of Belarus / O. L. Nikhaichik // Law in the modern Belarusian society : coll. of sci. works dedi-

cated to the Dr of Law, Prof., Honored Lawyer of the Rep. of Belarus S. G. Drobyazko. — Minsk : Kolorgrad, 2018. — Iss. 13. — P. 487–494.

Нихайчик, О. Л. Формы зашиты трудовых прав и законных интересов граждан Республики Беларусь / О. Л. Нихайчик // Право в современном белорусском обществе : сб. науч. тр., посвящ. д-ру юрид. наук, проф., заслуж. юристу Респ. Беларусь С. Г. Дробязко. — Минск : Колорград, 2018. — Вып. 13. — С. 487–494.

16. Правовая наука и юридическая идеология России. Энциклопедический словарь биографий и автобиографий : в 4 т. / отв. ред. В. М. Сырых. — М. : Рос. гос. ун-т правосудия, 2009–2017. — Т. 3 : Правовая наука и юридическая идеология России (1965 — 1 января 2011 г.). — 2015. — 1057 с.

17. *Sigaeva, T. A.* Approaches to determining the essence of a legal dispute / T. A. Sigaeva // Eurasian Law J. — 2010. — № 1. — P. 19–22.

Сигаева, Т. А. Подходы к определению сущности правового спора / Т. А. Сигаева // Евраз. юрид. журн. — 2010. — № 1. — С. 19–22.

18. О внесении изменений в законы [Электронный ресурс] : Закон Респ. Беларусь, 18 июля 2019 г., № 219-ФЗ // КонсультантПлюс: Беларусь / ООО «ЮрСпектр», Нац. центр правовой информ. Респ. Беларусь. — Минск, 2020.

19. Об арбитражных судах [Электронный ресурс] : Закон Респ. Беларусь, 18 июля 2011 г., № 301-З : с изм. и доп. от 24 окт. 2016 г. № 439-З // КонсультантПлюс. Беларусь / ООО «ЮрСпектр», Нац. центр правовой информ. Респ. Беларусь. — Минск, 2020.

20. *Skobelev, V. P.* About modern problems of regulation of mechanisms of protection of labor rights / V. P. Skobelev // Labor and Social Law. — № 2 (34). — P. 41–45.

Скобелев, В. П. О современных проблемах регулирования механизмов защиты трудовых прав / В. П. Скобелев // Тр. и соц. право. — 2020. — № 2 (34). — С. 41–45.

21. *Koshman, A. A.* Ways to protect the labor rights of workers / A. A. Koshman // Legal regulation of social partnership and labor relations with Belarus and abroad : materials of the IX Intern. sci. conf. of students and young scientists and the VIII Rep. competition on labor law and procedure named after V. I. Semenkov, dedicated to the 115th anniversary of the trade union movement of Belarus, Minsk, 25–26 Apr. 2018 / Intern. Univ. «MITSO» ; editorial board: K. L. Tomashevsky (chief ed.) [et al.]. — Minsk, 2019. — P. 23–24.

Кошман, А. А. Способы защиты трудовых прав работников / А. А. Кошман // Правовое регулирование социального партнерства и трудовых отношений с Беларуси и за рубежом : материалы IX Междунар. науч. конф. студентов и молодых ученых и VIII Респ. конкурса по трудовому праву и процессу им. В. И. Семенкова, посвящ. 115-летию профсоюз. движения Беларуси, Минск, 25–26 апр. 2018 г. / Междунар. ун-т «МИТСО» ; редкол. : К. Л. Томашевский (гл. ред.) [и др]. — Минск, 2019. — С. 23–24.

22. Трудовой кодекс Российской Федерации [Электронный ресурс] : 30 дек. 2001 г., № 197-ФЗ : принят гос. Думой 21 дек. 2001 г. : одобр. Советом Федерации 26 дек. 2001 г. : с изм., внесенными Постановлением Конституц. Суда Рос. Федерация от 14.07.2020 г. № 35-П // КонсультантПлюс. Россия / ООО «ЮрСпектр», Нац. центр правовой информ. Респ. Беларусь. — Минск, 2020.

23. *Rusel, K. E.* Out-of-court ways to protect the labor rights of workers / K. E. Rusel // Legal regulation of social partnership and labor relations in Belarus and abroad : materials of the IX Intern. sci. conf. of students and young scientists and the VIII Rep. competition on labor law and procedure named after V. I. Semenkov, dedicated to the 115th anniversary of the trade union movement of Belarus, Minsk, 25–26 Apr. 2018 / Intern. Univ. «MITSO» ; editorial board: K. L. Tomashevsky (chief ed.) [et al.]. — Minsk, 2019. — P. 83–86.

Русель, К. Е. Внесудебные способы защиты трудовых прав работников / К. Е. Русель // Правовое регулирование социального партнерства и трудовых отношений в Беларуси и за рубежом : материалы IX Междунар. науч. конф. студентов и молодых ученых и VIII Респ. конкурса по трудовому праву и процессу им. В. И. Семенкова, посвящ. 115-летию профсоюз. движения Беларуси, Минск, 25–26 апр. 2018 г. / Междунар. ун-т «МИТСО» ; редкол. : К. Л. Томашевский (гл. ред.) [и др]. — Минск, 2019. — С. 83–86.

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