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## EY Law Alert

The background of the top half of the page is a photograph of a legal office. It shows a desk with a pair of golden scales of justice, a gavel, and several open books. A person's hand is visible on the right, holding a black pen over a document. A yellow trapezoidal frame is overlaid on the left side of the image, containing the title text.

# Brief Overview of the Proposed Amendments to the Labor Legislation of the Republic of Kazakhstan

This issue focuses on the key provisions of the consultation paper on the regulatory policies (“Consultation Paper”) prepared as part of the development of the draft Law of the Republic of Kazakhstan On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan for Improving Labor Legislation (the “Law”).

The Consultation Paper reflects a comprehensive approach to the modernization of labor relations, considering digitalization, international standards, and the objectives of ensuring a safe and sustainable working environment. The main areas of the proposed amendments are outlined below.



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## **I. Conclusion of Labor Contracts in Electronic Form via the Unified Labor Contract System (ULCS)**

It is proposed to legislatively permit concluding labor contracts in electronic form using the Unified Labor Contract System ("ULCS") and electronic digital signatures. This measure aims to eliminate a legal gap, as currently most contracts are first concluded on paper and only then registered in the ULCS. The initiative is focused on improving accessibility, transparency, and efficiency of employment document flow.

## **II. System of Individual and Integral Assessment of Occupational Risks**

The framework of the Republic of Kazakhstan's Safe Labor Concept for 2024–2030 includes scheduling a transition from the outdated form of working conditions attestation to a modern system of individual and integral assessment of occupational risks. The new model will cover the creation of digital working condition maps and consider the specifics of each employee's work, enabling the implementation of a preventive approach to occupational health and safety.

## **III. Introduction of Concepts and Mechanisms for Responding to Cases of Sexual Harassment at Workplace**

One of the significant innovations will be the inclusion of provisions to prevent workplace sexual harassment in the Labor Code. It is planned to introduce the definition of sexual harassment, specify complaint procedures, and set out the employer's obligation to respond. This initiative is driven by the absence of clear regulation of such situations in the current legislation, though the issue is common.

## **IV. Optimization of the Authorized Labor Body's Functions**

For implementing Decree of the President of the Republic of Kazakhstan No. 872 On Measures to Debureaucratize the Activities of the State Apparatus dated 13 April 2022, it is proposed to transfer some provisions regarding the functions of the authorized labor body, currently set out in the Labor Code, to the level of subordinate legislation. This step will enhance regulatory flexibility and simplify the procedure for making amendments.

## **V. Involvement of Local Executive Bodies (LEBs) in Labor Dispute Regulation**

The transfer of labor inspections from the jurisdiction of LEBs to the Ministry of Labor and Social Protection of the Population of the Republic of Kazakhstan gave rise to uncertainties around the role of akimats in preventing and resolving collective labor disputes. The draft law provides for the restoration of the role of LEBs within the framework of tripartite commissions as well as their role in ensuring social stability.

## **VI. Improvement of the Legal Status of Trade Unions**

The initiative provides for enhancing the transparency and accountability of trade unions by introducing the annual confirmation of their structure, clarifying their members' status, and setting their obligation for financial and other reporting. This measure is aimed at preventing fictitious trade union activities and strengthening the position of legitimate trade unions.

## **Expected Implementation Timeline**

According to the Consultation Paper, the relevant draft law is to be adopted in the Mazhilis of the Parliament of the Republic of Kazakhstan in January 2026. The implementation of key mechanisms, including electronic employment contracts and an updated system for assessing working conditions, is expected to take place gradually until the end of 2027, in view of the need for adaptation in the remote and rural areas.

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