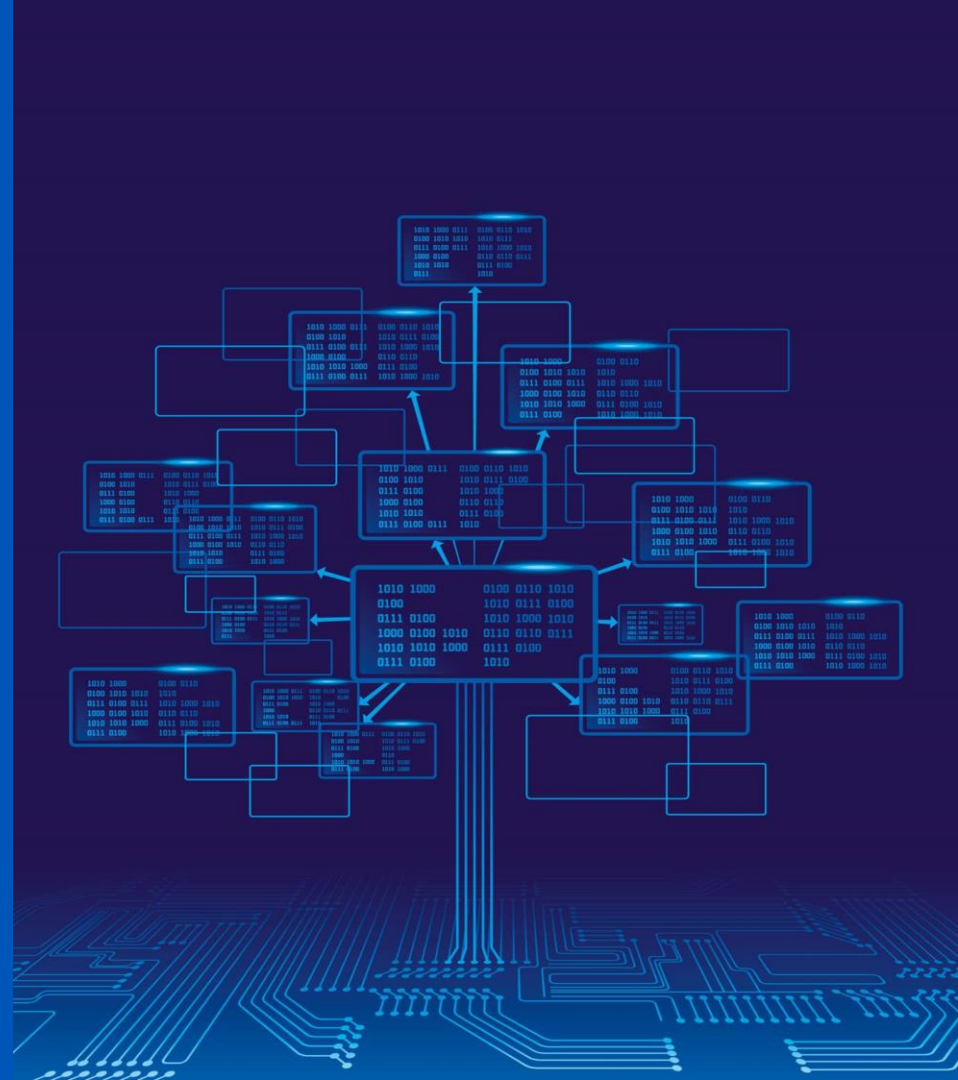


High Alert in Moscow. The Second Wave

How to deal with new restrictive
measures and sharing
of personnel's data

AmCham SME briefing
October 12th, 2020



Moscow Major's Decree as of 6.10.2020 No. 97-UM

Mandatory distant work

Applicable to **not less than 30%** of personnel and individual contractors (with exceptions)

Sharing of distant workers' personal (?) data

The list includes quite questionable information in terms of its real necessity for the Moscow authorities

Applicable to all legal entities and individual entrepreneurs in Moscow

Penalties for breach:

- up to **1 mln RUB** (for companies)
- or suspension of business for up to **90 days**

what to do?

FORMALIZE REMOTE WORK

- Issue HR order on remote work regime (applicable to **employees** only)
- Have addenda to employment agreements (ideally)
- Update / develop local policies on remote work
- Make employees being familiarized with them against their signatures

work regime

SHARE DATA OF REMOTE WORKERS

Data from the Decree's list considered **personal data** under Russian law

Option 1: Share available data

Use corporate details (e.g. corporate mobile phones, car numbers)

Option 2: Request employees to share the necessary data

Make sure to update available personal data

Consent for sharing personal data may be **not** required

personal data

how to fulfill?

30% of staff + contractors

how should it work for small companies with 1-2 employees?
how to calculate?

1 report / week

what if you don't have the data? what if employees refuse to provide it?

work discipline

shall staff's refusal to share data lead to disciplinary penalties?

Ensure the minimum

Calculate from the number of remote staff - **not** from the total number (e.g., $\frac{2}{8} * 100\% = 25\%$)

Know your employees

Remote contractors are **not** your staff – formalize their remote services properly

Consider overload of mos.ru

Weekly reports are to be made each Monday

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