

Right to work and access to the labor market

According to the first part of Article 41 of the Constitution of the Republic of Belarus, citizens are guaranteed the right to work as the worthiest tool of human self-affirmation, that is, the right to choose a profession, occupation and work in accordance with official duties, abilities, education, professional training and in compliance with the requirements, as well as the right to healthy and safe working conditions.

In the Labor Code of the Republic of Belarus, there are no norms limiting the maximum age for employment.

According to Article 14 of the Labor Code, discrimination, that is, restriction of labor rights or the receipt of any advantages depending on sex, race, national and social origin, language, religious or political beliefs, participation or non-participation in trade unions or other public associations, property or official position, **age**, place of residence, physical or mental deficiencies that do not interfere with the performance of relevant job duties, **other circumstances not related to business qualities and to the specifics of the employee's labor function, is prohibited.**

Discriminatory conditions of collective agreements are invalid.

Any differences, exclusions, preferences and limitations based on the requirements inherent in certain work or due to the need for special care of persons who need increased social and legal protection of State (women, minors, the disabled, persons affected by the Chernobyl disaster, etc.), are not considered discrimination.

Article 241 of the Labor Code establishes that any disputes on the refusal to conclude an employment contract with persons for discriminatory reasons, are settled by court.

When considering individual labor disputes, employees are exempted from paying court costs.

In accordance with Article 55 of the Labor Code, when organizing the work of employees, the employer, among other things, is obliged:

- to ensure working conditions that meet the requirements for labor protection, take the necessary measures to save life, health and working capacity of employees in the course of labor activity;
- to take the necessary measures **to prevent industrial injuries, occupational and other diseases** of workers.

The Law of the Republic of Belarus on Labor Protection applies to all employers and working citizens of the Republic of Belarus, foreign citizens and stateless persons (**regardless of age**).

Labor, employment and social protection authorities **provide employment assistance** to citizens of pre-retirement and retirement age who have applied for this issue, inform them about employment opportunities in professions and specialties that are in demand on the labor market, taking into account their labor potential and professional preferences.

Within the framework of the Government Program "Labor Market and Employment Promotion" for 2021-2025, it is planned to ensure **priority training** of persons who have reached the generally established retirement age, in specialties and professions that are in demand on the labor market, **with guaranteed employment**. Abovementioned Government Program also provides professional orientation for this category of citizens in order to assist them in finding professions and specialties that are in demand on the labor market, taking into account their labor potential, as well as their desires and opportunities.

Applying for a pension is a right, but not an obligation of an employee (pension is assigned only upon a written application).

If workers choose to combine work with a pension, in most cases such retired workers receive full pensions while they work (only about 25 percent of working pensioners with relatively high pensions have their pensions slightly capped).

Since 1998, there has been a norm in national legislation that provides a **bonus increase in the size of a citizen's pension in case of his work after reaching the generally established retirement age without receiving a pension**. For five years of work without receiving a pension, a person can increase the size of the pension by 1.7 - 1.8 times.

Thus, in Belarus there are **flexible retirement options**:

- a person can start receiving a pension at the standard retirement age;
- a person can combine receiving pension with the continuation of work;
- a person can start receiving a pension later, having formed its higher amount.

The National Strategy "Active Longevity - 2030" provides support for **economic activity and entrepreneurial activity** of citizens of pre-retirement age, development and **support for self-employment** of older citizens, especially in rural areas, including training in entrepreneurial skills, financial literacy, facilitating access to financial resources.

The norms of labor legislation **apply to all employers** of the Republic of Belarus, **regardless of the form of ownership** of the enterprise or organization.