

On approval of Rules for organization and payment of duty shifts of medical employees

Unofficial translation

Order of the Minister of Health of the Republic of Kazakhstan of November 22, 2017 № 857.
Registered with the Ministry of Justice of the Republic of Kazakhstan on December 11, 2017
№ 16071

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In accordance with paragraph 2 of the notes to Appendix 5 of Resolution № 1193 of the Government of the Republic of Kazakhstan dated December 31, 2015 “On remuneration system of civil servants, employees of organizations maintained at the expense of the state budget, employees of state-owned enterprises” **I hereby ORDER:**

1. Approve the attached Rules for organization and payment of the duty shifts of medical employees.

2. In the procedure established by the legislation of the Republic of Kazakhstan the Department of Finance of the Ministry of Healthcare of the Republic of Kazakhstan shall:

1) provide the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of state registration of this order, direct its copy in paper and electronic forms in the Kazakh and Russian languages to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” for official publication and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) within ten calendar days after the state registration of this order, direct a copy of it for official publication in periodicals;

4) place this order on the Internet resource of the Ministry of Healthcare of the Republic of Kazakhstan after its official publication;

5) within ten working days after the state registration of this order, submit to the Legal Department of the Ministry of Healthcare of the Republic of Kazakhstan the data on execution of the actions provided for in subparagraphs 1), 2), 3) and 4) of this paragraph.

3. Control over the execution of this order shall be entrusted to the Vice-Minister of Healthcare of the Republic of Kazakhstan, L.M. Aktayeva.

4. This order shall be enforced upon expiry of ten calendar days after the date of its first official publication.

*Minister of Healthcare
of the Republic of Kazakhstan*

Y. Birtanov

Approved
by order № 857 of the Minister
of Healthcare of the Republic of Kazakhstan
dated November 22, 2017

Rules for organization and payment of duty shifts of medical employees Chapter 1. General Provisions

1. The rules for organization and payment of duty shifts of medical employees have been developed in accordance with paragraph 2 of the notes to Appendix 5 of Resolution № 1193 of the Government of the Republic of Kazakhstan dated December 31, 2015 “On remuneration system of civil servants, employees of organizations maintained at the expense of the state budget, employees of state-owned enterprises” and govern the procedure for organizing and paying for the duty shifts of medical employees (hereinafter referred to as the Rules).

2. The following terms shall be used in these Rules:

healthcare organization - a legal entity exercising activities in the field of healthcare;

labor remuneration- a system of relations pertaining to provision by an employer of mandatory payment of remuneration to an employee for his work in accordance with the Labor Code of the Republic of Kazakhstan dated November 23, 2015 (hereinafter the Labor Code) and other regulatory legal acts of the Republic of Kazakhstan, also agreements, employment, collective contracts and acts of the employer;

duty shift - the period of time during which the employee performs work duties at night, holidays and weekends in accordance with the Labor Code, acts of the employer and terms of the employment contract;

holidays - days of national and public holidays of the Republic of Kazakhstan;

medical employees - individuals with professional medical education who perform medical activities.

Chapter 2. Procedure of organization and payment of medical employees' duty shifts

3. In the provision of medical care at medical organizations, duty shifts shall be established for medical employees regardless of the time of the day and days of the week, night hours, weekends and holidays, in accordance with the approved duty schedule.

4. The duty schedules shall be drawn up with regard to the requirements of working hours duration in accordance with Article 68 of the Labor Code, at the end of each month, separately for doctors, middle and junior medical personnel and shall be approved by the head of the medical organization.

5. Involvement of medical employees in duty shifts shall be carried out on the basis of the approved schedule of duty shifts and the order of the head of the health organizations.

6. To provide round-the-clock assistance and duty shifts, the head of the organization shall enter additional medical and nursing posts in the staff list, or shall ensure the duty shifts with the available staff of doctors, middle and junior medical staff.

7. Payment for duty shifts at night, weekends and holidays, as well as overtime shall be made in compliance with the Labor Code.