

**IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA**

**ON THE CASE ON CONFORMITY OF ARTICLE 14 OF THE LABOUR CODE OF THE
REPUBLIC OF ARMENIA WITH THE CONSTITUTION OF THE REPUBLIC OF
ARMENIA ON THE BASIS OF THE APPLICATION OF THE CITIZEN GALUST
SHIRINYAN**

Rapporteur V. Hovhannisyan

Proceeding from the results of consideration of the case and being ruled by provisions of Article 100, Part 1 and Article 102 of the Constitution, Articles 63, 64 and 69 of the RA Law on “The Constitutional Court”, the Constitutional Court of the Republic of Armenia **HOLDS:**

1. Article 14 of Labour Code of the Republic of Armenia is in conformity with the Constitution of the Republic of Armenia.
2. Comparative analysis of Articles 14 and 102 of the RA Labour Code, Article 1, Part 4, Article 298, Part 1 of the RA Civil Code, as well as international obligations undertaken by the Republic of Armenia reveals that within framework of this case at the moment of application of this norm, the constitutional legal content of Article 14 of the RA Labour Code did not exclude the possibility of judicial protection of employee’s right to receive equivalent compensation for actual work in case of absence of employment contract if relevant evidence is available.
3. In accordance with Article 64, Part 9.1 of the RA Law on the Constitutional Court, the final judgment adopted on the case of the citizen Galust Shirinyan is subject to judicial review on the basis of new circumstances as prescribed by law.
4. Pursuant to Article 102, Part 2 of the RA Constitution this Decision is final and enters into force from the date of publication.

18 July 2012

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