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*Research Article***WORKER ADAPTATION AND LABOR RELATIONS****EVGENIYA R. BRYUKHINA***National Research University – Higher School of Economics*

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*The concept and types of adaptation experienced by an employee and employer during labor relationships are analyzed in the paper. Staffing and staff training issues are a priority in the modern world. When entering into labor relationships, the worker is in a new work group and starts to perform employment duties in a new position. This requires adaptation. Adaptation is a multifaceted phenomenon (process). In the author's opinion, it can vary, including the scenarios arising during legal relationships. As is noted in the paper, there are almost no provisions regarding legal regulation of the adaptation process in the current labor legislation. Adaptation is classified as occupational and non-occupational. In the framework of labor relationships, occupational adaptation is of especial interest, since it includes professional, psychophysiological, sociopsychological, organizational, economic and labor adaptations. An analysis of professional and labor adaptation in terms of their definitions and contents has identified their differences. The paper is an attempt to research the issue of worker adaptation through the lens of labor legislation. Mentorship is definitely a component of professional adaptation. There is a special focus on the lack of any provisions regulating the mentorship institution in the Labor Code of the Russian Federation. The need to fill this gap by introducing supplements and amendments into the existing legal regulation mechanics has been pointed out. The conclusion has been drawn about the link between the probation period established with a labor contract and the professional or labor adaptation of the worker. Additionally, the author has made the assumption that probation upon entry into employment should be seen not only as the adaptation of a worker to a new workplace, but as the adaptation of an employer to a new employee as well. Among other things, it is a period when the worker's adequacy for the assigned job is verified. The opinion has been expressed that it is necessary to standardize the mentorship institution in the Labor Code of the Russian Federation.*

***Key words:*** adaptation, worker adaptation, types of adaptation, occupational adaptation, professional adaptation, labor adaptation, mentorship

**Introduction**

One of prerequisites for stable development, operation and performance of any organization is comprehensive interaction between employees and employers whose actions need to be well-coordinated and aimed at improving the organization's overall performance. Another equally important issue – the staffing issue – includes not only talent acquisition, but their adaptation to the working conditions of a specific employer as well. The staffing issues are so highly significant in the modern world that the matter depends neither on the employer's activity type/form of ownership nor on their economic status. Many employers pay a lot of attention to talent acquisition, analyze the reasons for staff shortages, work

out in-house programs for worker adaptation. The relevance of the issue arises from the modern environment that is notable for intensive changes and transformations both in the economy and in engineering, in manufacturing technologies. In the context of transformational processes, the requirements imposed not only on employees, but also on employers change as well. Now, the ability to solve various objectives set for the organization is of particular importance, and so is the ability to adjust quickly to the current changes and align internal processes. All of this radically changes the priorities of the personnel policy for employers.

When entering into labor relationships, the individual should have a clear idea of the professional environment they are about to start working in. Also, they should know their employment duties, internal policies and procedures of a specific employer, and the working conditions offered by the employer. If the perceptions and expectations are inconsistent with the actual conditions, the individual who has entered into the labor relationships – the worker – finds themselves mentally unprepared for the challenges arising during the labor activity.

Efficient adaptation has a great strategic value for the employer. The worker's decision on whether they are willing to continue their labor relationships with the employer is made during the adaptation. It is this period when the employee assesses how they can fulfill their potential and whether their work will satisfy their major needs (Danchenko, 2006: 2). Therefore, the issue of the adaptation process and its efficacy arises.

### **Materials and Methods**

The goal is to research the issue of professional, labor adaptation in the course of labor relationships. Goal setting predetermines the following objectives: to analyze the concept of adaptation; to examine the classification of adaptation; to identify the difference between professional and labor adaptation; to describe manifestations of professional and labor adaptations in the statutory regulations of the current labor legislation; to analyze the probation established upon entry into employment and mentorship through the lens of adaptation.

When labor relationships occur, the worker experiences adaptation that is not given proper consideration in Russian labor law – neither in terms of its doctrinal interpretation, nor in terms of legal regulation.

During the research, general scientific and special juridical methods were used. The methodology for studies largely suggests using methodological tools, ideas and concepts designed in the framework of the modern general theory of human resources management in a cognitively meaningful and comprehensive combination with labor law. Traditional analytical jurisprudence, largely based on a technical analysis in the context of various modifications of legal positivism point out significant patterns in establishing, developing and functioning of legal phenomena and processes. The textual approach allows identifying relevant legal ideas, defining the existing doctrinal, legal, and law-enforcement problems based on hermeneutics. The special juridical tools of the research activity used to write this paper also include a special juridical method, an interpretation method, and an analysis method. The main sources of information for the research can be classified either as acts of national legislation of the Russian Federation in the specified area or as doctrinal sources. The labor legislation of the Russian Federation, as well as works by A. Toffler, N. V. Samoukina, O. V. Shutova, T. M. Vershinina, P. V. Ruzanova have examined.

### **Results**

The problems of adaptation during labor relationships have been examined, and so has the labor legislation that does not cover the concept of adaptation or its mechanics. In the text of the paper, two types of adaptation identified in economics – professional and labor – are analyzed in the context of the current regulations of the Labor Code of the Russian Federation.

### **Discussion**

When adaptation is examined in terms of labor relationships, the issue of terminology comes to the forefront. The term 'adaptation' came to HR management from biology where it literally meant 'adjustment'. Since adaptation is the innate biological and psychological mechanism in a human being,

it largely occurs on its own. In most cases, an individual adapts to any conditions sooner or later or adapts them to themselves. A so-called social adaptation occurs – its social technologies are presented in the work of A. Toffler (Toffler, 1997: 32).

The term ‘adaptation’ is researched in social studies and humanities; it can be found in the theory of human resources management, social psychology and labor psychology; it is the target of interdisciplinary research with the goal of finding the best possible, efficient ways for people to adjust to the new environment (Samoukina, 2020: 22-30). Adaptation (Lat. *adaptatio* – adjustment) means the process of the worker’s adjustment to the changing conditions of the surroundings, manufacturing, labor, or life itself (Yezhukova, 2017).

In the broadest sense of the word, adaptation is the process typical for any living organism, all the elements of the living system. There are two types of adaptation: biological and social (Shutova, 2000: 7). Within this work, biological adaptation has not been examined due to its physiological and general focus. Social adaptation is of a particular interest, since it is a ‘special social form of interaction between the subject and the environment arising every time the subject enters a new social community and becomes an actor, a functioning element in this community’ (Vershina, 1986: 11).

It is worth concurring with O. V. Shutova who suggests that ‘in the process of adaptation, not only adjustment to the conditions and lifestyle of the social environment takes place, but the environment is transformed as well’ (Shutova, 2000: 7). Social adaptation is quite a succinct concept that includes the processes of human adjustment to various environments and takes place throughout human life. The type of social adaptation depends directly on the circumstances in which a certain individual finds themselves. All types of social adaptation are interconnected and they cannot take place in isolation; they are interdependent and mutually conditional.

‘Adaptation’ is not a legal term, it is mostly used in social studies, psychology, and economics. However, it is fair to assume that the legal nature of this term should not be denied, since adaptation as an adjustment process is typical for labor relationships as well. This is due to the mutual accommodation process of the employee and the employer. Additionally, adaptation is closely related to the labor organization process, establishment of working conditions, observation of the labor discipline, job duties performance, and determination of a work-rest schedule. Since the adaptation process is closely linked to the rights and obligations of the employee and employer, it should be subject to legal regulation.

The adaptation process should have the legal framework tied primarily to the definition of the concept and its mechanics. In the context of labor relationships, adaptation means the process of the employee and employer’s adjustment to the changing conditions of the external and internal environments that effect the performance of the organization.

Before addressing professional and labor adaptations and their manifestations in the context of labor relationships, the types of adaptation need to be defined. By analyzing the varying level of sources and their systematization, adaptation can be classified as occupational and non-occupational. Occupational adaptation includes professional, psychophysiological, sociopsychological, organizational, economic and labor adaptations.

Professional adaptation is the process when the worker is integrated into a new area of operations, when they get to know the working environment, standards of labor activity, establishment and expansion of ties between the worker and the working environment (Afanasiev, 2014: 8). During professional adaptation, an extra chance to use opportunities and to master skills is provided, as well as to use the requisite professional qualities and qualifications and to integrate them into the organization’s performance. In the course of professional adaptation, the worker shapes a positive attitude towards the employment obligations they perform. However, if we turn to the statutory regulations of labor legislation, we will not be able to find any provisions regulating the process, the period or the goal of professional adaptation.

It seems, the apprenticeship institution that is used to increase efficiency while the worker adjusts to the new working conditions and improves their professional skills and qualifications can also be classified as professional adaptation. During professional adaptation ‘professional capabilities are improved due to acquisition of additional knowledge and skills, development of the personal qualities required for professional performance and the positive attitude towards the job’ (Kobtseva, 2008: 105).

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The period of the worker's professional adaptation starts as soon as labor relationships occur. According to Art. 57 of the Labor Code of the Russian Federation<sup>1</sup> (hereinafter the LC of RF), probation is one of additional terms in a labor contract. The probation period upon hiring is an optional term that can be established at the mutual discretion of the employee and the employer. Establishment of a probation period upon entering into a labor contract does not set any working conditions for the new hire different from those existing for other workers. The labor legislation prohibits discrimination. According to Art. 2 of the LC of RF, the main principles for the legal regulation of labor relationships and other relations directly associated with them should be prohibition of discrimination in the labor sphere; equality of rights and opportunities for employees; ensuring the right of each employee to the timely payment in full of fair earnings providing for a humane existence for the employee themselves and their family at no less than the minimum amount of labor remuneration fixed by federal law. To ensure implementation of these principles, the employer is obliged to ensure that employees receive equal payment for labor of equal value (Art. 22 of LC of RF). According to Art. 70 of LC of RF, when a labor contract is entered into, a provision may be made therein by agreement of the parties for the employee's probation to test their fitness for the job. The probation clause should be specified in the labor contract. According to Art. 71 of LC of RF, in the case of an unsatisfactory result of probation, the employer shall have the right to discontinue the labor contract with the employee before the end of the probation period. The Labor Code of the Russian Federation directly defines the goal of the probation period, noting that the scope of employment duties assigned to the worker in this period shall not be reduced.

All this is indicative of the fact that the probation established upon hiring not only suggests assessment of the worker's compliance with the occupied position, but also seems closely associated with the professional or labor adaptation of the worker. 'The fundamental difference between adaptation and probation is that probation is aimed only at professionalization of an employee, while adaptation at socialization as well' (Yezhukova, 2017). In the framework of the statutory regulations of the current labor legislation regarding establishment of probation upon hiring, from adaptation's perspective, it can be considered a general adjustment, including the adjustment of an employer to the new employee that is tied to the verification of the worker's adequacy for the assigned job.

As for labor adaptation, it should be noted that it constitutes a combination of professional and social orientation of the worker, mutual accommodation of the worker and the organization based on the gradual integration of the employee into the workplace amidst new professional, social and business working conditions (Yezhukova, 2017). Labor adaptation is a component part of the worker's socialization and adjustment to the conditions offered by a specific employer. Labor adaptation, according to P. V. Ruzanov, 'is notable for the worker's ability to use their personal potential, professional resources and qualifications rationally and efficiently to integrate them into the existing business situation in order to realize their needs and interests' (Ruzanov, 2007: 8).

It should be noted that labor adaptation is incorporated into the social and is considered its component part. Labor adaptation is the process of adjustment to organizational specificities of a certain employer. In the framework of labor relationships, it manifests itself in the worker's compliance with the internal policies and procedures of their employer, execution of the employer's instructions and establishment of a work-rest schedule.

When labor relationships develop, the process of labor adaptation, as well as one of professional adaptation, is not regulated. It appears that this process should be controllable, and the mechanisms for worker adaptation to the new working conditions should be regulated based on its type.

The adaptation process may be classified as internal and external. Internal adaptation is about a specific individual, their interaction with the work group (in case of labor adaptation) in a specific period of time in a specific environment. It should be noted that the following basic elements can be identified in the 'adaptation mechanism' (specifically, adaptation of a worker in a certain work group): first, the internal properties typical for this process, its controversial aspects, interaction of which defines its content and the general development tendency; second, the main stages the adaptation process undergoes while unfolding, specific stages of its development in time and 'social space'; third, social conditions or factors that have an impact on labor adaptation; fourth, organizational targeted tools to regulate and control these external

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<sup>1</sup> Federal Law No. 197-FZ 'Labor Code of the Russian Federation' dated December 30, 2001.

and internal circumstances and conditions in order to affect the process per se' (Shutova, 2000: 8). Labor adaptation is a combination of three major adjustments: psychophysiological, social and economic that remain in constant interaction and organic unity (Ruzanov, 2007: 19).

Labor adaptation of a worker can either succeed or result in negative consequences. The outcome will depend on the so-called 'adaptive potential' of the employee, on the stage of the adaptation period, on the type of adaptation, on whether it is primary or secondary. The adaptive potential of a worker depends on the level of their professional, psychological, moral and emotional training. From the perspective of labor relationships, the adaptive potential of a worker depends on professional skills and qualifications they have, as well as on the individual abilities associated with the ability to actively master the specifics of the job duties.

Psychophysiological adaptation is familiarization with the set of all the conditions having varying psychophysiological effect on the employee during the labor activities. These conditions can include physical and mental loads, degree of routine work, sanitary and hygiene standards of the operational environment, the labor rhythm, the convenience of the workplace, external influencing factors determined by the working conditions that should be provided by the employer. This type of adaptation is essentially about getting the worker adjusted to the environment of the organization and the region where it is located. According to the labor legislation, the employer is obliged to ensure safety and working conditions that meet state labor protection regulations. Psychophysiological adaptation is nothing but the adjustment of the worker to new physical and mental loads, physiological working conditions.

As for sociopsychological adaptation, it should be noted that it is a part of occupational adaptation and it takes place simultaneously with the individual's adjustment to the working conditions and their interaction with the work group.

Organizational adaptation manifests itself in the worker's introduction to the organizational mechanics of corporate management, adaptation to the job and the workplace where the employee performs their labor duties. With this type of adaptation, the worker is integrated into the work group, granted the legal rights associated with the ability of managing the organization. According to Art. 21 of the LC of RF, the employee shall have the right to unite, including the right to create trade unions and join them to protect their labor rights, liberties and legal interests; participate in the management of the organization in the forms envisaged in the labor legislation; arrange collective negotiations and enter into collective contracts and agreements through their representatives, as well as the right to information on the fulfillment of the collective contract, agreements. This type of adaptation should ensure that the worker understands and recognizes their labor rights and the opportunities to exercise them within the organization.

Economic adaptation. Every profession has its own ways to provide financial incentives, and wages are tied to the working conditions and labor organization. The object of economic adaptation is a wage level and the timeliness of its payment that has become particularly relevant recently (Yezhukova, 2017). Economic adaptation in the framework of labor relationships manifests itself in the employer's obligation to pay wages not less than every half a month on the date specified. If the employer fails to fulfil this responsibility, they shall be held liable for the arrears in wage payment. With this type of adaptation, the worker adjusts to specificities of the wage structure and the payment procedure. The wage structure and payment procedure are established by the local acts of the employer that the worker should read before signing the labor contract.

Based on previous experience, worker adaptation can be classified as primary or secondary. Primary adaptation is occurs upon hiring, upon entry into labor contract, mostly with workers who have no employment history and get hired for the first time. According to Art. 68 of the LC of RF, when someone is being hired (before a labor contract is signed) the employer is obliged to have the employee read the in-house employee rules, other local statutory regulations directly relating to the employee's labor activity and the collective agreement and sign that they have done so. Fulfillment of this responsibility is an element of the worker primary adaptation that allows them to get information about labor activity, specificities of the organization's functioning and its rules.

During primary adaptation, the employer can use other adaptation methods, e.g., the mentorship institution, to form professional skills. In the course of primary adaptation, aside from labor and professional adaptations, psychophysiological and economic adaptations occur as well.



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Secondary adaptation is assistance in shaping communications and professional and/or management skills of the employee who has taken a new position as a result of rotation or promotion. First of all, the new leader needs to form communications with former colleagues – now subordinates. While they used to fulfill shared professional tasks and maintained friendly relations before, now their task is to lead the subordinates, to manage and assess their work. It might take up to half a year or even more to build the relationships (Samoukina, 2020: 22–30).

Secondary adaptation occurs when the employee is transferred to a new job with or without a change in profession, as well as upon entering into a labor contract with the workers who have an employment history. Secondary adaptation in the framework of labor relations can be related to a change in the labor contract regulated by Chapter 12 of the LC of RF. Observance of the notification procedure is the start of the secondary adaptation process.

Primary and secondary adaptations pursue the following goals: 1) to inform the worker about the employer's rules and statutory regulations upon entry into the labor contract; 2) to make the worker aware of specificities of the employment duties (reading the job descriptions); 3) to create the working conditions required for fulfillment of the work obligations; 4) to assign the worker to a mentor if necessary; 5) to get the employee to shape the competencies required for successful work in the company; 6) to arrange a suitable workplace for the employee, one that corresponds to the norms of the current legislation.

While focusing on occupational adaptation, it should be noted that it can be of various types that characteristically exhibit a system of objective and subjective indicators. The objective parameters are those that can be registered objectively through various methods (special devices, expert assessment, observation) and used to describe the efficiency of the labor activity, activity by employees in various spheres. The subjective indicators of adaptation efficiency characterize the employee's attitude towards the job in general or to its certain aspects. They are examined using a survey for the employee, psychological testing (Kobtseva, 2008: 101).

I would stand with E. D. Simanina in her opinion that 'the system of personnel adaptation in the organization includes orientation, assignment to a mentor and on-the-job training' (Simanina, 2018). The term 'mentorship' originates from the English 'mentor' (Greek: *men* – a thinker, *tor* – the suffix for male gender), so the translation is rather literal. In the times of the USSR, the mentorship institution was well-developed and used for staff training at enterprises. Mentorship emerged based on patronage in the 1920s. Development of the institution declined in the 1930s, particularly – in the years of the Great Patriotic War that made it necessary to train staff quickly in order to perform professional activity. In the middle of the last century, the mentorship institution was studied, mostly in the field of pedagogy. In 1970-90s, mentorship became a part of the state policy for highly qualified staff training. After the breakup of the Soviet Union, the mentorship institution was undeservingly forgotten due to the closure of state-owned enterprises and the disruption of the continuous education chain.

In 2013, V. V. Putin, the President of Russia, emphasized at the State Council session: 'An efficient incentive system for mentors is required, and it should be the modern kind of mentorship, the transfer of experience and specific skills'<sup>2</sup>. In 2017, Prime Minister of the Russian Federation D. A. Medvedev supported establishing the all-Russian mentorship system. Subsequently, the President of the Russian Federation signed Executive Order No. 94 'On Bestowing the Badge of Merit for Mentorship' dated March 2, 2018<sup>3</sup>. According to cl. 1 of that Executive Order, the mentors of youth are some of the highly qualified workers of industry and agriculture, transport, engineering and technical workers, state and municipal officials, teachers, professors and other workers of educational organizations, doctors, workers of culture and people arts honored for their personal merits of at least five years.

Mentorship is a type of adaptation for the workers of a specific employer, as well as an element of management technologies with a positive effect. Thus, S. Ya. Batyshev notes that the mentorship is based

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<sup>2</sup> V. V. Putin. A speech on the joint session of the State Council and the Presidential Commission on monitoring achievement of the target indicators of social and economic development of Russia. Available at: <https://regnum.ru/news/economy/1748854.html> [Accessed: 10.30.2022].

<sup>3</sup> Executive Order No. 94 'On Bestowing the Badge of Merit for Mentorship' dated March 2, 2018 (revised on November 19, 2021) (along with the Provision on the Merit Badge for Mentorship).

on 'creative use of regular worker experience for professional and social adaptation of students and young workers at the enterprise' (Batyshev, 1985: 89).

Mentorship is an institution aimed at shaping or improving professional skills and qualifications of an employee, shaping the competencies of a mentor. It is also an element of professional adaptation. As for the legal regulation of the mentorship institution, it should be noted that the Labor Code of the Russian Federation lacks any provisions defining the legal position of a mentor and a mentee, the period and the concept of mentorship.

Legal regulation of the mentorship institution for the state civil service came to be with RF Government Decree No. 1296 'On Approval of the Provision on Mentorship in State Civil Service in the Russian Federation' dated October 7, 2019<sup>4</sup>, and it also emerged on the scale of approval of local statutory regulations, by the representative of the hirer in case the aforementioned institution needs to be applied. According to RF Government Decree No. 1296, the objectives of mentorship are:

- to increase awareness of the civil employee under mentorship about the areas and goals of the government body's activities, the objectives it faces; and to accelerate the process of adaptation of the civil employee who has entered the state civil service for the first time or the civil employee with an employment history in state civil service who has joined this particular government body for the first time;

- to develop in the civil employee under mentorship the abilities to perform the employment duties independently, proficiently and timely and to maintain the professional level required for their appropriate performance;

- to increase the motivation of the civil employee under mentorship to perform their employment duties properly, and to engage in efficient and long-term professional service (RF Government Decree No. 1296).

RF Government Decree No. 1296 directly sets acceleration of civil employee adaptation based on the previous experience in state civil service as one of objectives for mentorship (primary adaptation of the civil employee who has entered the state civil service for the first time or the secondary adaptation of the civil employee with an employment history in state civil service who has joined this particular government body for the first time).

The author does not set out to analyze the legal regulation of the mentorship institution in this paper. The objective set is to show that mentorship is a regulatory manifestation of worker adaptation. The mentorship institution is incorporated into professional adaptation of the worker. It manifests itself in the mentor's activities related to getting the mentee to shape abilities and skills of proficient, timely and proper performance of their employment duties set forth in the job description. Improvement in the mentee's professional level is required for performance of job duties. Additionally, one of the goals of the mentorship institution is to increase the motivation of workers. One of the important aspects of mentorship is tied to the specificities of its implementation – it does not require leaving the workplace: the mentee performs the job duties right there.

Analysis of academic literature allows us to note a few components of the mentorship system. Thus, according to O. V. Basharina, they might include:

- 'values and targets – this aspect defines the set of targets and values of professional education that can be important for all the employees of the enterprise included in the mentorship system;

- organization and methodology – this aspect includes legal documents regulating mentorship activities, the program on professional development and mentor motivation, as well as the forms, methods and tools of the mentors' work;

- procedures and activities – this aspect is aimed at shaping the stages of mentorship activities, organization of interaction in the mentorship system;

- results and updates – this aspect allows supervising the results of training and efficacy of the mentors' performance, amending and updating the content and technologies of training' (Basharina, 2018: 18–26).

In the times of the USSR, mentorship used to be a form of interaction between educational establishments of all levels and manufacturing. It appears that this experience should be revived and introduced actively. According to the data of the Regional Mentorship Center of the State-Financed Institute of Further Vocational Education Kuzbass Regional Institute for Vocational Education Development, introduction

<sup>4</sup> RF Government Decree No. 1296 'On Approval of the Provision on Mentorship in State Civil Service in the Russian Federation' dated October 7, 2019.

of the mentorship methodology will allow increasing the share of children aged 10–19 among the mentees from 10% to 70% by 2024 (of the total number of children residing in the Kuzbass), as well as increasing the share of enterprises providing their mentors from 2% to 30% (from the total number of enterprises operating in the Kuzbass) (Grigorieva, Chernyak, 2021: 65).

Nowadays, the corporate practices of foreign companies include other forms of new hire support and training along with mentoring, such as the buddy system and coaching. A newly hired employee is assigned a ‘buddy’, an employee of the same age working in the same position. Their functions do not include transferring in-depth knowledge (since they probably do not have it themselves). It is rather to watch over the new employee (Proshina, 2006: 36). As for coaching (from the English sports term ‘coach’), it should be noted that the main task of the coach is not to look after someone, but to teach them, to cultivate abilities and skills. As a rule, the coach has special education that allows them to train the employee right at the employer’s, at the workplace.

When using the foreign experience of personnel adaptation in the organization, it is wise to consider and apply only the best practices – well-tested, efficacious and universal.

### Conclusion

Adaptation with the employer is the gradual integration of a new employee into full-fledged performance of their job duties. Worker adaptation includes not only training and onboarding, but also integration into the work group, adoption of the employer’s standards of social conduct. In order to shorten the adaptation period, the employer should develop an adaptation system and program for workers with specific events and schedules assigned.

During the research, occupational adaptation was analyzed, including two types – professional and labor adaptation. Their differences were identified, including those that apply to labor relationships. The suggestion has been made regarding the need to set another goal of probation establishment upon hiring – professional and labor adaptation that can be seen not only as the employee’s adjustment to the employer, but also as the employer’s adjustment to the new employee. Additionally, it has been opined that legal regulation of the mentorship institution and the adaptation process is needed in the Labor Code of the Russian Federation.

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