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EMPLOYMENT REGULATION IN THE EUROPEAN INTEGRATION OBLIGATIONS OF UKRAINE

The progress of implementation of the Association agreement with the EU in the area of Ukrainian social policy and labor relations in 2017 was estimated at 52%; this indicator at that time was ahead of the indicators for most sectors of harmonization of national legislation and the EU *acquis communautaire* [1]. As of 2022, the results of the obligations' implementation in social policy, organization and regulation of labor relations were estimated at 54%, which was one of the lowest indicators of the corresponding screening against the background of the overall progress in the Association agreement implementation that was determined at 72% [2]. Having analyzed progress in the implementation of principles and tasks in the areas of social policy, employment and equal opportunities from articles 419–420 of the Association agreement, the European Commission in the beginning of 2023 assessed the level of Ukraine' preparation as initial [3].

The already passed period of adaptation of Ukrainian and EU legislation has evidenced that the most active process of bringing national labor legislation to current EU Directives, regulations and guidelines is taking place in:

- coordination of production norms, regulations and standards (both of technical and technological processes – in particular, in aspects that directly determine the conditions and level of employees' labor safety, as well as of the final products themselves);
- provision of certain standards of social equality for the population groups' spectrum in terms of implementation of employment rights, adequate material basis for preservation and reproduction of professional and qualification potential (own and their families' members), accumulation of certain pension savings upon completion of the socially active working period of life;

– balancing the interests of employers and employees regarding: the level and rates of capitalization of individual and collective labor potential, its value in production costs, parameters of distribution and redistribution of income from economic activity; approaches to maintaining the desired flexibility of business entities and production processes in the dynamic conditions of the functioning of national, macro-regional and world economies, outlined by the newest technological modes.

In general, according to the monitoring results, activities related to the adaptation and implementation of EU norms and standards have been significantly intensified in recent years on the following issues: stimulation of the increase in the level of the population employment; creation and preservation of jobs, in particular, for forcibly displaced persons; reduction of tension in the labor market by involving clients of the State Employment Service in active employment promotion programs; improvement of labor relations taking into account international norms and standards, which are monitored and distributed by the ILO; raising the level of wages in Ukraine; regulation of problems of temporary workers, collective dismissals, ensuring labor safety requirements, work of women (pregnant women and workers who have given birth to children), amounts of social leave, remote work of domestic workers, prohibition of discrimination based on characteristics of race, sex, skin color, health status, sexual orientation, etc. [1; 2; 4].

The main shortcomings and problems of adaptation and implementation of common EU norms and standards in the labor legislation, business and management practices of Ukraine, which were summarized by the European Commission report, revealed the urgent need for additional steps, first of all, regarding [3–5]: further settlement of salary arrears; improvement of social dialogue (in particular, the provisions of the Law of Ukraine «On social dialogue in Ukraine» and their implementations), strengthening of non-discrimination in the employment sphere; increase of the principles' harmonization level in the sphere of occupational health, labor protection and safety; improvement of the labor inspections' system; harmonization of labor law in the transport sector; regulation of informal employment, strengthening the protection of employees with partial employment in the private and public sectors, including persons who have a non-standard form of employment (for example, freelancers) and perform work under a fixed-term contract; ensuring the freedom of employees' movement; improvement in the field of workers' gender equality.

In addition to above-mentioned problems, the experts who have analyzed the report of the European Commission also point out: the lack of Ukraine's development socio-economic doctrine as a strategic theoretical basis for bringing labor legislation of Ukraine into line with EU legislation; the shortage of a systematic national policy for the labor legislation development; the chaotic planning and low quality of preparatory analytics for bringing Ukraine's labor legislation into compliance with the EU legislation; the ambiguity of the formulation and interpretation of the «safe flexibility» concept of labor relations, enterprise, economy as a whole, which is used to justify the government initiatives regarding the employment sphere reforming that are most discussed by the national society nowadays; disadvantages and contradictions of social dialogue [4].

According to the broad scientific community, the tactics of labor law reforming chosen by government structures weakly corresponds with European social policy' standards; hence, this tactics can't ensure the growth and stabilization of economic and human development indicators currently or in the more or less distant perspective, which is extremely important for increasing production' volumes and profits, as well as for improving the competitive properties of the workforce and products on foreign markets. The above-mentioned approaches of the EU *acquis communautaire* to the adaptation of national labor law and its systemic reforming are largely contradict the consistent (since 2014) efforts of government institutions to stimulate entrepreneurship by drastically reducing its social burden, as well as the social guarantees' narrowing as a mechanism for significantly strengthening competition in the labor market. A business-centric approach to reforming labor relations and labor legislation in Ukraine under the pretext of its adaptation to the EU *acquis* was fully embodied in the draft Law «On Labor» (in the 2022 version).

Therefore, the identified problems and difficulties of the Ukrainian labor legislation reforming within the obligations' framework of the EU Association Agreement testify to the needs for more careful consideration of the already formed national practice of the employment sphere' regulating along with the intensification of the *acquis communautaire*' implementation in the sphere of observing the social and labor rights of an average employees and labor teams, guaranteeing labor safety in the conditions of the economy' technological base diversification, as well as legitimization of the best international standards and benchmarks for improving the working life' quality.

The 111th International Labor Conference emphasized the need for systematic coordination of political actions at the international, regional and national levels with social issues, since only such a strategy will allow to resist growing economic inequality (in particular, in dimensions of: citizens' deprivation from social protection; wages below subsistence minimum; tendencies towards bankruptcy of micro- and small enterprises; gender inequality in wages). The ILO announced the following priorities: ensuring a balanced consideration of environmental, economic and social aspects, in particular, during the international financial system' restructuring; conducting a coordinated policy on issues of social protection and decent work and increasing investments in this sphere.

A technologically backward country implementing a long-term strategy of reproducing its own technological backwardness, narrow specialization and poverty stagnation (including as a result of deliberate limitation of income redistribution through the systems of education, professional development, solidarity welfare and social protection) will not have reasonable prospects for membership in EU and improvement of the competitive positions of a wide range of national producers.

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