

(4) The drastic reduction of overtime pay from a 100 per cent premium to a 20 per cent premium, in breach of ILO Convention No. 1 on Hours of Work, which requires a premium payment of at least 25 per cent. In addition, the draft amendments reduce existing limitations to overtime work.

(5) The abolition of some social guarantees and reduced protection for mothers with small children, making their dismissal even easier. Moreover, employees will have to disclose all information that may impact their employment to their employer, and pregnancy and health conditions are not excluded from this requirement.

(6) Numerous limitations to the right to freedom of association that breach ILO Convention No. 87 on Freedom of Association and the Protection of the Right to Organise (ratified in 1956). This includes the limitation of workplace unions to a maximum of two in direct contradiction with the findings of the ILO Committee on Freedom of Association, which has explicitly stated that legislated limits on the number of trade unions violate the right to freedom of association. Moreover, the draft law requires the forced transfer of trade union property acquired before 1991 to the government, including property acquired with trade union funds. In addition, the minimum threshold for the establishment of trade unions has been increased from three to ten workers, excluding workers employed in micro-enterprises from the right to form trade unions. The amendments also introduce "control commissions" that may observe and control trade union activity and do not solely include union members.

(7) Limitations on the right to obtain information for collective bargaining purposes removing the conditions that are necessary for the promotion of good-faith collective bargaining.

These are only some of the areas of the amendments that seriously breach numerous fundamental and technical Conventions of the ILO, in particular ILO Convention No. 87 on Freedom of Association, ILO Convention No. 98 on Collective Bargaining and ILO Convention No. 144 on Tripartite Consultations.

These changes to worker protections are unacceptable for a country that espouses democratic values.

Ukrainian unions have announced a protest campaign rejecting the draft laws and the approach of the government. We fully support this campaign and express our solidarity with all workers of Ukraine and their unions. We demand that the drafts be withdrawn and that any formal hearings in the Verkhovna Rada should be postponed. These legislative changes must be subject to full consultations with trade unions. There is no justification to enact hastily drafted amendments to these important laws without full tripartite negotiations.

We call on the Ukrainian government and Parliament to respect the provisions set out in international (ILO) core labour standards and urge the government to avail itself of ILO technical assistance in preparation of the Labour Code.

Sincerely yours,

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