ENHANCING THE LABOUR ADMINISTRATION CAPACITY TO IMPROVE WORKING CONDITIONS AND TACKLE UNDECLARED WORK

for alignment of the Ukrainian legislation on working conditions with the EU legal framework as foreseen in the EU-Ukraine Association Agreement

ROADMAP

STRAATEGIC MEASURES

- Adopt a Ukrainian National Strategy for the Promotion of OSH
  - Document to outline the strategy to guide the development of OSH policies, programs, and interventions.
- Strengthen the labour administration and improve the efficiency of the labour inspection system
  - Create a system to monitor and assess the effectiveness of the labour inspection system.
- Structure a panel of relevant indicators on working conditions
  - Draft a list of indicators to measure the effectiveness of the measures adopted.

LEGISLATIVE MEASURES

- Create an OSH guidelines system
  - Draft a document on the scope, nature (not mandatory, but with legal presumption of conformity), method of development, issuing entity, and publication.
- Provide additional regulations and/or OSH guidelines on professional qualifications, OSH preventive services, OSH workers representative
  - Document with program
  - Draft for normative instruments
  - Rigidity of the legal solutions
  - Less consideration by micro and small enterprises

OPERATIONAL MEASURES

- Implement training on the forthcoming national OSH legislation framework
  - Develop training on the forthcoming national OSH legislation framework
- Develop and disseminate technical information
  - Information program with the definition of the target audience, objectives, support instruments, and profile of co-operators.
  - Lack of qualification and access to knowledge
  - Lack of participation and goal-oriented OSH approach

- Transpose directives to national law instrument
  - Draft only a legal act to transpose each directive, repealing expressly the replaced legislation.
  - Definition of additional technical regulations or other technical developments.
  - Lack of participatory and goal-oriented OSH approach

STAKEHOLDERS

- Labour inspection and labour administration
- Other public administration (health, agriculture, extractive industry, manufacturing industry, transport, commerce and services)
- Employers’ association’s
- Unions
- National statistics service
- Universities and research centres

RISKS

- Absence of inclusion in the national legal act transposing the OSH Framework Directive 89/391/EEC
- Less consideration by micro and small enterprises
- Lack of parliamentary involvement
- Option for hierarchically lower legal sources

SHORT-TERM

- Prejudice to public confidence and an increase in non-compliance of labour law
- Difficulties in collecting, processing, and disseminating data on work accidents and occupational diseases
- Demotivation and lack of qualifications
- Lack of society confidence on public institutions and incapacity in non-compliance of labour law

MEDIUM-TERM

- Difficulties in collecting, processing, and disseminating data on work accidents and occupational diseases
- Lack of knowledge and information on the impacts of the measures taken and on the occupational diseases and accident situation.

LONGER-TERM

- Difficulties in collecting, processing, and disseminating data on work accidents and occupational diseases
- Lack of knowledge and information on the impacts of the measures taken and on the occupational diseases and accident situation.
- Demotivation and lack of qualifications

This project is implemented by the International Labour Organization.