

## FEATURES OF THE REGULATION OF LABOR RELATIONS IN WARTIME CONDITIONS

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### **Анотація**

*Донедавна законодавство України про працю не передбачало окремого регулювання у період військового стану, тому у перші тижні війни продовжували діяти всі звичні правила, у тому числі й про оформлення дистанційної роботи, відпусток, тощо. У зв'язку з цим трудове законодавство України зазнало значних змін, пов'язаних насамперед із запровадженням на території нашої країни правового режиму воєнного стану. Для адаптації роботодавців та працівників до нових реалій встановлено тимчасові правила трудових відносин, які діятимуть лише під час війни.*

**Ключові слова:** закон, право, громадянин, законодавство

### **Abstract**

*Until recently, the labor legislation of Ukraine did not provide for separate regulation during the period of martial law, therefore, in the first weeks of the war, all the usual rules continued to apply, including the registration of remote work, vacations, etc. In this regard, the labor legislation of Ukraine has undergone significant changes, primarily related to the introduction of the legal regime of martial law on the territory of our country. In order to adapt employers and employees to the new realities, temporary rules of labor relations have been established, which will apply only during the war.*

**Key words:** law, right, citizen, legislation

### **Introduction**

New realities demanded a quick reaction from the legislator in various spheres of life, including in the labor sphere. The Law of Ukraine "On the Legal Regime of Martial Law" initiated a new stage in the development of labor law, which begins after February 24, 2022. It turned out that the field of labor, in which the vital interests of millions of Ukrainian citizens are intertwined, required an immediate reaction from the legislator in order to ensure its normal functioning.

### **Research Results**

A significant limitation of the rights of workers, which is provided for by a number of articles of the Labor Law "On the organization of labor relations in the conditions of martial law", can lead to impoverishment and impoverishment of the population in such difficult times. So, for example, in accordance with Article 5 of the Law, during the period of martial law, it is allowed to dismiss an employee at the initiative of the employer during the period of his temporary incapacity, as well as during the period of the employee's stay on vacation (except for pregnancy and childbirth leave and leave for care for the child until he reaches the age of three). As practice shows, many employers use this provision in order to "get rid" of employees they "didn't like" for certain personal reasons.

In turn, employers can enter into temporary employment contracts with new employees for the period of martial law or for the period of replacing a temporarily absent employee. At the same time, there are also changes regarding the trial period - it will be possible to set it for all categories of employees. As a general rule, there is a significant list of exceptions when establishing a trial period, in particular - in the case of concluding a contract for a period of up to 12 months. However, this rule will not apply during martial law.

### **Conclusions**

The introduction of the legal regime of martial law in Ukraine caused a change in labor relations, and accordingly, a change in labor legislation. In turn, the main changes in labor legislation relate to: features of concluding an employment contract; duration of working hours; types and duration of rest time; features of remuneration and termination of employment relations.

At the same time, it is necessary to emphasize the fact that when adopting new laws, introducing changes and additions to already existing normative legal acts, as in peacetime, it should be aimed at preserving labor law as a separate branch of law.

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