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EUROPEAN SOCIAL CHARTER

Comments submitted by
Ukrainian Parliament Commissioner for Human Rights
(Ombudsperson)
concerning the 15th National Report on the implementation of
the European Social Charter

submitted by
THE GOVERNMENT OF UKRAINE
Articles 2, 3, 4, 5, 6, and 20

Comments registered by the Secretariat
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Ombudsman of Ukraine

COMMENTS

**ON THE 15th NATIONAL REPORT ON THE IMPLEMENTATION
OF THE EUROPEAN SOCIAL CHARTER IN UKRAINE**

submitted to

THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS (ECSR)

prepared by

**UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN
RIGHTS (OMBUDSPERSON)**

Articles 2, 3, 4, 5, 6, and 20

27 June 2025

List of Abbreviations:

CFTUU – Confederation of Free Trade Unions of Ukraine
CLD(C) – Collective labor dispute (conflict)
ILO – International Labour Organisation
LCU – Labour Code of Ukraine
Ministry of Economy – Ministry of Economy of Ukraine
Ministry of Social Policy – Ministry of Social Policy of Ukraine
Monitoring – Monitoring by the Ukrainian Parliament Commissioner for Human Rights
National Council - National Tripartite Socio-Economic Council
NLA – Normative Legal Act
NMCS – National Mediation and Conciliation Service
Ombudsman of Ukraine – Ukrainian Parliament Commissioner for Human Rights
OORU – Union of Employers' Organizations of Ukraine
SPO – Joint Representative Body of Representative All-Ukrainian Trade Union Associations at the National Level
FPU – Federation of Trade Unions of Ukraine
FEU – Federation of Employers of Ukraine

TABLE OF CONTENTS

INTRODUCTION	4
ARTICLE 2§1 REASONABLE DAILY AND WEEKLY WORKING HOURS	6
ARTICLE 3§1 HEALTH AND SAFETY AND THE WORKING ENVIRONMENT	9
ARTICLE 3§2 OF THE REVISED CHARTER (ARTICLE 3§1 OF 1961 CHARTER) HEALTH AND SAFETY REGULATIONS.....	11
ARTICLE 3§3 OF REVISED CHARTER (ARTICLE 3§2 OF 1961 CHARTER) ENFORCEMENT OF HEALTH AND SAFETY HEALTH REGULATIONS	13
ARTICLE 4§3 RIGHT OF MEN AND WOMEN TO EQUAL PAY FOR WORK OF EQUAL VALUE	18
ARTICLE 5 RIGHT TO ORGANISE.....	24
ARTICLE 6§1 JOINT CONSULTATION	29
ARTICLE 6§2 COLLECTIVE BARGAINING.....	33
ARTICLE 6§4 COLLECTIVE ACTION.....	36
ARTICLE 20 – RIGHT TO EQUAL OPPORTUNITIES BETWEEN WOMEN AND MEN	38

Introduction

These comments (Alternative Report) were prepared by the Ukrainian Parliament Commissioner for Human Rights in response to the questions of the European Committee of Social Rights regarding the implementation of the provisions of the Revised European Social Charter under Group 1.

In the process of preparing the comments (Alternative Report), an analysis was conducted of the Fifteenth National Report of the Government of Ukraine on the implementation of the provisions of the Revised European Social Charter under Group 1 submitted to the European Committee of Social Rights.

In light of the challenges associated with the Russia's full-scale invasion of Ukraine launched on 24 February 2022, and pursuant to the Decree of the President of Ukraine No. 64/2022¹, the martial law was introduced in Ukraine.

According to Article F of the Revised European Social Charter, a state has the right to temporarily derogate from its obligations under the Charter in the event of war or other public emergency threatening the life of the nation.

The decision regarding the scope of obligations to which such derogation applies must be made in accordance with the powers defined by the Constitution and laws of Ukraine of the body that made the decision to accede to the relevant international human rights treaties. The central executive authority responsible for implementing Ukraine's obligations under the Revised European Social Charter is the Ministry of Social Policy of Ukraine².

During the monitoring process, information was received from the Ministry of Social Policy indicating that Ukraine deliberately chose not to initiate the formal derogation procedure, as such a procedure is resource-intensive and may be perceived as a weakening of Ukraine's international human rights stance.

In accordance with Article 64 of the Constitution of Ukraine³ certain restrictions on constitutional rights and freedoms may be established under the martial law, including the right to work, to strike, and to rest.

In the context of the martial law regime in effect in Ukraine since 24 February 2022, the legal regulation of labor relations has undergone significant changes. In particular, the Law of Ukraine "On the Organization of Labor Relations under Martial Law" dated 15 March 2022, No. 2136-IX (hereinafter referred to as Law No. 2136)⁴, entered into force. This law defines the specifics of public service, local self-government service, and the peculiarities of labor relations for all employees during the period of martial law.

According to Part Two of Article 1 of Law No. 2136, restrictions have been

¹ On the Introduction of Martial Law in Ukraine: Decree of the President of Ukraine dated February 24, 2022, No. 64/2022. The decree was approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX URL: <https://zakon.rada.gov.ua/laws/show/64/2022#Text>

² On the Procedure for the Participation of Central Executive Authorities in the Activities of International Organizations of which Ukraine is a Member: Resolution of the Cabinet of Ministers of Ukraine dated September 13, 2002, No. 1371. URL: <https://zakon.rada.gov.ua/laws/show/1371-2002-п#Text>

³ Constitution of Ukraine, dated June 28, 1996. URL: <https://zakon.rada.gov.ua/laws/show/254к/96-бп>

⁴ On the Organization of Labor Relations under Martial Law: Law of Ukraine dated March 15, 2022, No. 2136-IX. URL: <https://zakon.rada.gov.ua/laws/show/2136-20#Text>

introduced on constitutional human and civil rights and freedoms, specifically: the right to work (Article 43 of the Constitution of Ukraine) and the right to strike (Article 44 of the Constitution of Ukraine). Law No. 2136 also establishes restrictions on the right to rest (Article 45 of the Constitution of Ukraine): pursuant to the provisions of Article 6, it allows for the extension of working hours and the reduction of weekly uninterrupted rest to 24 hours (whereas the Labor Code of Ukraine [LCU]⁵ establishes 42 hours). During martial law, the following provisions of the LCU do not apply: Duration of work on the eve of holidays, non-working, and rest days (Article 53); Use of overtime work (Part One of Article 65); Rest days (Parts Three through Five of Article 67); Prohibition of work on rest days and the exceptional procedure for such work (Article 71); Public holidays and non-working days (Article 73); Exclusion of public holidays and non-working days when calculating the duration of annual leave (Article 78-1);

Law No. 2136 also grants the employer the right to: Replace annual basic leave exceeding 24 calendar days with leave without pay; Replace any leave exceeding the annual basic leave with leave without pay; Grant unused leave days as unpaid leave after the termination or cancellation of martial law; Independently determine the period for granting unused leave after the end or cancellation of martial law. The Ukrainian Ombudsperson submitted a petition to the Constitutional Court of Ukraine seeking to declare certain provisions of Law No. 2136 on the right to leave unconstitutional⁶. Following the opening of constitutional proceedings by a panel of judges of the Constitutional Court, as of 3 October 2024, the case is under consideration by the Grand Chamber.

The report is based on information obtained within the framework of parliamentary oversight of compliance with human and civil labor rights, as well as on the results of monitoring the practical implementation of labor legislation provisions. It includes information from state authorities, trade union associations, enterprises, institutions, and organizations of various forms of ownership. The report incorporates an analysis of legislation, subordinate acts, and draft laws; statistical data, sociological research findings, and an analysis of judicial practice have also been used.

The purpose of this report is to support an objective assessment of the state of labor rights implementation in Ukraine in light of the Revised European Social Charter and to highlight systemic challenges faced by workers and employers under martial law and the ongoing transformation of social and labor relations.

⁵ LCU – Labour Code of Ukraine: adopted by the Law of Ukraine dated December 10, 1971, No. 322-VIII. URL: <https://zakon.rada.gov.ua/laws/show/322-08#Text>

⁶ Ukrainian Parliament Commissioner for Human Rights – Constitutional submission on recognizing as non-compliant with the Constitution of Ukraine (unconstitutional) the provisions of the second sentence of the second paragraph and the third paragraph of Part One of Article 12, as well as the second paragraph of Item 3 of the Final Provisions of the Law of Ukraine “On the Organization of Labor Relations under Martial Law” No. 2136-IX. Registered with the Constitutional Court of Ukraine under No. 5/219 (24) dated June 13, 2024. URL: https://ccu.gov.ua/sites/default/files/05_219_2024.pdf

Article 2§1 Reasonable daily and weekly working hours

a) Please provide information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including:

- **information on the exact number of weekly hours that persons in these occupations can work;**
- **information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.**

According to Article 50 of the Labour Code of Ukraine, the normal duration of employees' working time may not exceed 40 hours per week. The provisions of Article 6 of Law No. 2136 stipulate that during martial law, the normal duration of working time may be extended to 60 hours per week for employees working at critical infrastructure facilities (in the defense sector, public services, etc.). However, for employees of critical infrastructure facilities who are legally entitled to a reduced working time, the maximum weekly working time under martial law may not exceed 40 hours.

If the normal working time exceeds the legal standard, wages must be increased proportionally to the additional hours worked.

According to State Labour Service⁷ data, no violations concerning the 60-hour work week were identified from 2022 to 2025. Inquiries sent to trade union organizations (CFTUU and FPU) also confirmed that no complaints were received from workers about exceeding the 60-hour limit or exceeding the 40-hour limit for positions with legally reduced working time.

In the event of a violation of labor rights, including those related to health and safety, workers have the right to seek redress through both extrajudicial and judicial procedures.

Extrajudicial mechanisms for resolving labor disputes between employees and employers include: Submitting a complaint to the relevant central executive authority for protection of labor rights; Consideration by a Labor Disputes Commission; Filing a complaint with the Ukrainian Parliament Commissioner for Human Rights (Ombudsman); Settlement through mediation.

Complaint to the relevant central executive authority. Under Article 6 of Law No. 877-V⁸ grounds for an unscheduled state inspection include a complaint by an individual (or individuals) regarding a violation that caused harm to their rights, legitimate interests, life, or health, supported by relevant documents or copies thereof (if available).

State Labour Service, in accordance with its mandate, carries out state supervision and control over compliance with labor laws by legal entities (including their structural and separate subdivisions without legal entity status) and by individuals

⁷ Regulation on the State Labour Service of Ukraine – Approved by Resolution of the Cabinet of Ministers of Ukraine dated 11 February 2015, No. 96 URL: <https://zakon.rada.gov.ua/laws/show/96-2015-%D0%BF#Text>

⁸ On the Basic Principles of State Supervision (Control) in the Sphere of Economic Activity – Law of Ukraine dated 5 April 2007, No. 877-V URL: <https://zakon.rada.gov.ua/laws/show/877-16#Text>

employing hired labor.

Due to martial law, the Cabinet of Ministers of Ukraine adopted a resolution⁹ suspending scheduled and unscheduled state inspections for the duration of martial law. However, after the entry into force of Law No. 2352¹⁰ State Labour Service was authorized to conduct unscheduled inspections exclusively to monitor compliance with Law No. 2136, detect undeclared labor, and assess the legality of employment contract termination.

Consideration by the Labor Disputes Commission (LDC). Under Article 221 of the LCU, labor disputes between employees and employers, regardless of the form of employment contract, may be resolved by an LDC. The employee must submit a claim to the LDC within three months from the date they became aware or should have become aware of the violation. The commission may extend the deadline for valid reasons. The LDC is obligated to examine the dispute within 10 days of receiving the claim. The LDC's decision must be implemented by the employer within three days after the 10-day appeal period expires.

Complaint to the Ukrainian Ombudsman. According to Article 101 of the Constitution of Ukraine and Law No. 776¹¹ the Ukrainian Ombudsman exercises parliamentary oversight over compliance with constitutional human and civil rights and freedoms, including the right to safe working conditions. Upon review of a complaint, the Ombudsman may: Open proceedings for the alleged violation; Explain to the complainant the measures to be taken; Forward the complaint to the competent authority and monitor its resolution.

No complaints were received by the Ombudsman regarding violations of the legally established duration of working time, whether the normal limit (40 hours per week) or the maximum limit (60 hours in exceptional cases).

Settlement of labor disputes through mediation. Article 222-1 of the LCU stipulates that a labor dispute between an employee and an employer may be resolved through mediation, in accordance with Law No. 1875¹². This law defines mediation as an extrajudicial, voluntary, confidential, and structured procedure, during which the parties, with the help of a mediator (or mediators), attempt to prevent or resolve a conflict through negotiations.

Article 55 of the Constitution of Ukraine guarantees the right of every individual to challenge decisions, actions, or omissions of public authorities, local governments, and officials in court. In accordance with Article 233 of the LCU, an employee may file a labor dispute claim directly with the court: within three months from the date the employee became aware or should have become aware of the violation; in dismissal cases, within one month of receiving a copy of the dismissal order; in cases involving

⁹ On the Suspension of State Supervision (Control) Measures under Martial Law (Title of the Resolution as amended by Resolution of the Cabinet of Ministers No. 1511 dated 27.12.2024): Resolution of the Cabinet of Ministers of Ukraine dated March 13, 2022, No. 303. URL: <https://zakon.rada.gov.ua/laws/show/303-2022-%D0%BF#Text>

¹⁰ On Amendments to Certain Laws of Ukraine on the Optimization of Labor Relations: Law of Ukraine dated 1 July 2022, No. 2352-IX. URL: <https://zakon.rada.gov.ua/laws/show/2352-20#Text>

¹¹ On the Ukrainian Parliament Commissioner for Human Rights: Law of Ukraine dated December 23, 1997, No. 776/97-VR. URL: <https://zakon.rada.gov.ua/laws/show/776/97-%D0%B2%D1%80#Text>

¹² On Mediation: Law of Ukraine dated 16 November 2021, No. 1875-IX. URL: <https://zakon.rada.gov.ua/laws/show/1875-20#Text>

payment of all sums due upon dismissal, within three months of receiving a written notice of the amounts calculated and paid.

c) Please provide information on how inactive on-call periods are treated in terms of work or rest time.

The concept of on-call duty is not defined in the Labour Code of Ukraine. The engagement of employees for on-call duty is regulated by the Resolution No. 1545 of 1954¹³. On-call duty refers to the exceptional assignment of an employee to duties not specified in their employment contract, which require them to remain at a workplace designated by the employer for the purpose of responding to urgent matters unrelated to their official responsibilities, as well as for the transfer of information.

The duration of on-call duty may not exceed the normal working time. If on-call duty is assigned on a day off, the employee is entitled to compensation in the form of another day off.

For specific categories of workers, legal and regulatory acts provide for inactive on-call periods, including employees of the Expert Service of the Ministry of Internal Affairs, healthcare institutions, social protection establishments, the Joint Stock Company “Ukrainian Railways”, and domestic workers.

Expert Service of the Ministry of Internal Affairs of Ukraine (hereafter – Expert Service). The Instruction on the Procedure and Conditions for Organizing On-Call Duty for Employees of the Expert Service of the Ministry of Internal Affairs was approved by an order of the Ministry of Internal Affairs¹⁴. According to its provisions, on-call duty is divided into: on-call duty at the workplace, and on-call duty at home. On-call duty at home (which requires staying at home or another location without the right to leave, while remaining near designated communication devices and ready for call-in) is allowed only with the written consent of the employee. Home on-call duty is counted as working time at the rate of 1 hour of on-call = 0.25 hours of working time. After a 24-hour period of on-call duty at home, the employee is granted another day off within a month from the date of the duty.

During the monitoring process, the Head of the Expert Service reported that home on-call duty is not practiced. If there is a need outside regular working hours, police officers assigned to the Expert Service under the Law of Ukraine “On the National Police” are called in, remaining on duty with the police.

Healthcare and Social Protection Institutions. Order No. 308/519¹⁵ provides that doctors and healthcare professionals with educational degrees ranging from junior

¹³ On On-Call Duty at Enterprises and Institutions: Resolution of the Secretariat of the All-Union Central Council of Trade Unions dated 2 April 1954, No. 233. Applies in accordance with the Resolution of the Verkhovna Rada of Ukraine “On the Procedure for Temporary Application of Certain Legislative Acts of the USSR on the Territory of Ukraine” dated September 12, 1991, No. 1545, in the part not regulated by Ukrainian legislation. URL: <https://zakon.rada.gov.ua/laws/show/1545-12#Text>

¹⁴ On the Approval of the Instruction on the Procedure and Conditions for Organizing On-Call Duty for Employees of the Expert Service of the Ministry of Internal Affairs of Ukraine: Order of the Ministry of Internal Affairs of Ukraine dated 1 March 2017, No. 176. URL: <https://zakon.rada.gov.ua/laws/show/z0365-17#Text>

¹⁵ On Regulating the Conditions of Remuneration for Employees of Healthcare Institutions and Social

bachelor to master's degree in nursing, including those with non-medical degrees, may be assigned home on-call duty if involved in providing medical care, including emergency care. Such on-call duty may occur within or beyond the employee's monthly working time norm. Home on-call duty, both during the day and at night, is counted at the rate of 0.5 hours for each hour of duty and is paid based on the official salary, including supplements for qualification categories.

According to the Ministry of Health of Ukraine, most healthcare institutions are now municipal non-commercial enterprises, funded by the state budget through contracts with the National Health Service of Ukraine (NHSU). The organization of remuneration for employees of such entities falls within the scope of contractual regulation.

Railway Workers. On-call duty for railway workers of the Joint Stock Company "Ukrainian Railways" at facilities and at home is regulated by internal provisions¹⁶, according to which home on-call duty with constant availability via communication is organized to ensure emergency repairs when necessary. Time spent on home on-call duty is tracked separately: 1 hour of on-call = 0.25 hours, which is paid based on the employee's tariff rate (official salary). If the employee is engaged in active work during the on-call period, the total working time (active work + credited on-call duty) may not exceed 15 hours. Active work must not exceed a regular workday (8 hours) or shift (12 hours). Hazard pay is calculated only for hours of active work.

Domestic Workers. According to Article 173-5 of the LCU, an employment contract with a domestic worker may include waiting periods, which are counted as working time during which the worker cannot freely use their time due to the need to be ready to perform contractual duties as directed by the employer. The conditions and amount of pay for waiting periods or the provision of alternative free time with pay are determined in the employment contract. However, such compensation may not be lower than the statutory minimum wage. Paid waiting time may not exceed 10% of the working time specified in the contract. Time spent accompanying household members during leisure activities is included in working time.

No complaints have been received by the Ukrainian Parliament Commissioner for Human Rights from employees of the Expert Service, healthcare institutions, social protection institutions, Ukrainian Railways, or domestic workers regarding violations of working hours or work schedules.

Article 3§1 Health and safety and the working environment

Please provide information on the content and implementation of national policies on psychosocial or new and emerging risks, including:

- **in the gig or platform economy;**

Protection Establishments: Order of the Ministry of Labor and Social Policy of Ukraine and the Ministry of Health of Ukraine dated 5 October 2005, No. 308/519. URL: <https://zakon.rada.gov.ua/laws/show/z1209-05#Text>

¹⁶ Regulation on the Organization of On-Call Duty for Railway Workers On-Site and at Home: Approved by Decision of the Management Board of JSC "Ukrzaliznytsia" dated 25 March 2019 (Protocol No. II-46/27 Kom.T.); Enforced by Order of JSC "Ukrzaliznytsia" dated 18 April 2019, No. 268.

- as regards telework;
- in jobs requiring intense attention or high performance;
- in jobs related to stress or traumatic situations at work;
- in jobs affected by climate change risks.

According to Part Two of Article 158 of the Labour Code of Ukraine, the employer is obligated to take measures to ensure the safety and protection of employees' physical and mental health, to conduct risk and stress prevention in the workplace, and to implement informational, educational, and organizational measures to prevent and combat mobbing (bullying).

In 2017, Ukraine developed a Mental Health Concept¹⁷. As of 1 January 2017, the Concept stated that 1.7 million residents of Ukraine were registered with mental and behavioral disorders, and 261,200 persons with such disorders had a disability status. The Concept identified several problems underlying the poor state of mental health in Ukraine, including: low public awareness regarding mental health; shortcomings in national legislation; the absence of a mental health prevention system; a low level of qualified personnel in the mental health sector; lack of effective administration and monitoring in mental healthcare; inadequate coordination among public authorities in providing assistance to persons with mental health conditions. The implementation plan of the Mental Health Concept did not include measures for implementing national policy on psychosocial risks for the above-mentioned categories of workers.

Following the full-scale invasion of Ukraine by the Russian Federation, the psychological condition of the population deteriorated sharply. According to a Gradus Research survey (analytical report, January 2024) conducted under the All-Ukrainian Mental Health Program, 77% of Ukrainians reported stress and intense nervousness, and 52% reported anxiety and tension. Respondents also reported: fear of loud noises (28%); loss of appetite (18%); a constant urge to cry (14%)

Despite these concerns, only 3% of respondents regularly consult with a psychologist or psychotherapist, even though 40% reported feeling the need for professional help. Most respondents stated they cope with stress and negative emotions independently, including: spending time online (39%); watching TV, movies, or series (34%); communicating with others (32%); spending time with family (26%)¹⁸.

On 21 June 2024, the Ukrainian Government approved the 2024–2026 Action Plan for the implementation of the Mental Health Concept. However, the plan still does not include measures to implement national policy on psychosocial risks for the relevant worker categories¹⁹.

According to the Ministry of Economy of Ukraine, citing World Health

¹⁷ Mental Health Concept – Concept for the Development of Mental Health Care in Ukraine until 2030: Approved by Order of the Cabinet of Ministers of Ukraine dated 27 December 2017, No. 1018-p. URL: <https://zakon.rada.gov.ua/laws/show/1018-2017-p#Text>

¹⁸ Shurmakevych V. Almost 80% of Ukrainians Feel Stress and Strong Nervousness – Survey. // Ukrainska Pravda: Website. 9 April 2024. URL: <https://life.pravda.com.ua/society/cherez-povnomasshtabne-vtorgnennya-bilshist-ukrajinciv-vidchuvayut-stres-opituvannya-300959/>

¹⁹ On the Approval of the 2024–2026 Action Plan for the Implementation of the Mental Health Care Development Concept in Ukraine until 2030: Order of the Cabinet of Ministers of Ukraine dated 21 June 2024, No. 572-p. URL: <https://zakon.rada.gov.ua/laws/show/572-2024-p#top>

Organization data, approximately 25% of Ukraine's population (about 10 million people) are at risk of developing mental health problems. The war affects not only mental health directly but also worsens social and economic conditions, which in turn are key determinants of mental health.

To address psychological problems among employees, the Ministry of Economy published Guidelines for Introducing Psychosocial Support (PSS) in the Workplace for Employers on its website. The main goals of the PSS program include: acknowledging the psychosocial impact of war on individuals and the workplace; empowering employers and trade unions as leaders focused on employee well-being; creating a psychologically safe environment where confidentiality, non-stigmatization, and non-discrimination are prioritized; training employees to recognize signs of psychological distress to prevent severe mental and behavioral outcomes; preventing emotional and professional burnout; teaching employees basic psychological first aid skills; encouraging openness in discussing mental health and support initiatives in the workplace²⁰.

On 15 January 2025, the Law of Ukraine "On the Mental Health Care System in Ukraine" was adopted (effective from 7 February 2026)²¹. Article 33 of the Law provides that each employer has the right to develop and approve a psychosocial support program for employees in the workplace. In addition, paragraph 6 of Part One of Article 29 states that a component of psychological rehabilitation is the assistance in achieving professional goals through employment support programs, vocational training, and workplace adaptation measures.

To date, Ukraine has not implemented a national policy on psychosocial risks, including emerging or evolving risks, particularly with regard to specific categories of workers.

Article 3§2 of the Revised Charter (Article 3§1 of 1961 Charter) Health and safety regulations

a) Please provide information on:

- **the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours (including the right to disconnect);**
- **how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.**

At present, there is no explicit legislative obligation for employers in Ukraine to implement mechanisms that would directly guarantee employees the right to

²⁰ Department of Labor. Methodological Guidelines on the Introduction of Psychosocial Support in the Workplace for Employers (7 October 2024) // Ministry of Economy of Ukraine: Website. URL: <https://me.gov.ua/Documents/Detail/9c7657d6-c0ec-4559-aa22-c7f91f3bf009?lang=uk-UA&id=a5a272e9-9e6b-40eb-87e8-7b4d2eb38633&title=DiagnosticzneOtsiniuvanniaUpravlinniaDerzhavnimiInvestitsiiami-udi-VUkrainiZvitSvitovogoBanku>.

²¹ On the Mental Health Care System in Ukraine: Law of Ukraine dated 15 January 2025, No. 4223-IX. URL: <https://zakon.rada.gov.ua/laws/show/4223-20#top>.

disconnect from digital communication networks.

For employees engaged in remote work, Part Ten of Article 60-2 of the Labour Code of Ukraine (LCU) guarantees a free time period for rest (the disconnection period) during which the employee has the right to disconnect from any information and telecommunication communication with the employer. This disconnection is not considered a violation of the employment contract or a breach of labor discipline. The rest period (disconnection period) must be defined in the remote work employment contract.

Protection of employees from unlawful sanctions or discrimination for refusing to work outside of regular working hours is governed by general provisions of labor legislation. According to the LCU: Any form of discrimination in the field of labor is prohibited, including direct or indirect discrimination (Article 2-1); Employers are prohibited from requiring an employee to perform work not specified in the employment contract; refusal to perform such work may not serve as grounds for disciplinary action (Article 31); The LCU defines a limited list of disciplinary measures (i.e., reprimand and dismissal), which restricts the employer's ability to impose other penalties for lawful refusal (Article 147); The grounds for termination of an employment contract at the employer's initiative are established in Articles 40 and 41.

b) Please provide information on:

- **the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations;**
- **whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration.**

The Constitution of Ukraine, under Article 43, guarantees every person the right to proper, safe, and healthy working conditions. Labor law norms primarily regulate employment relationships between employers and hired workers. However, certain general principles and norms may also apply to self-employed individuals. Construction standards, occupational safety rules, and state labor safety regulations are mandatory for certain types of work, regardless of the legal status of the person performing the work.

For example, according to subparagraph 1.1 of the Occupational Safety Rules for Work with Tools and Devices (NPAOP 45.2-7.02-12)²², these safety rules apply to all business entities, regardless of form of ownership, legal form, or type of activity. Similarly, paragraphs 1 and 2 of the Occupational Safety Rules for Loading and Unloading Work (NPAOP 0.00-1.75-15)²³ state that the rules are mandatory for both

²² Occupational Safety Rules for Work with Tools and Devices: Occupational Safety Regulatory Act: NPAOP 0.00-1.71-13. Approved by Order of the Ministry of Energy and Coal Industry of Ukraine dated December 19, 2013, No. 966. Registered with the Ministry of Justice of Ukraine on February 25, 2014, under No. 327/25104. Effective from: 28 March 2014. URL: <https://zakon.rada.gov.ua/laws/show/z0327-14#Text>

²³ Occupational Safety Rules for Loading and Unloading Operations: NPAOP 0.00-1.75-15. Approved by Order of the Ministry of Energy and Coal Industry of Ukraine dated 19 January 2015, No. 21. Registered with the Ministry of Justice of Ukraine on 3 February 2015, under No. 124/26569. Effective from: March 3, 2015. URL: <https://zakon.rada.gov.ua/laws/show/z0124-15#Text>

employers and employees and apply to all economic entities that perform loading or unloading work as part of their operations, regardless of ownership or legal form.

Law No. 1105 establishes guarantees for citizens regarding social protection in cases of temporary disability, pregnancy and childbirth, workplace accidents, and occupational diseases, and aims to protect their life and health²⁴. According to Article 11 of the Law, the following persons are subject to insurance in the event of temporary disability: those employed under employment contracts (or agreements) (except for domestic workers who do not voluntarily participate in the state social insurance system); those working under gig contracts, other civil-law contracts, or on other legal grounds; employees of enterprises, institutions, and organizations regardless of ownership or economic structure, including residents of Diia City²⁵, individuals employed in foreign diplomatic or consular offices, or representative offices of non-residents; individuals elected to public office in state authorities or local governments; private entrepreneurs, independent professionals, and members of farming households, if they are not insured on other grounds.

Law No. 2694 outlines the core principles of national occupational safety policy, which include: the priority of workers' life and health and the employer's full responsibility for creating safe and harmless working conditions (Article 3); the employee's right to safe and healthy working conditions (Article 4); the employer's obligation to ensure safety, including conducting briefings, providing personal protective equipment, and medical examinations, among other responsibilities (Article 18)²⁶. These principles are universal for all workers.

Ukrainian legislation does not provide for any differences in the level of protection of the right to health and safety at work between temporary employees, employees temporarily performing duties, employees under fixed-term contracts, and those with open-ended contracts. All employees enjoy equal rights to proper, safe, and healthy working conditions, and the employer bears the same responsibility to ensure these conditions for all their workers, regardless of the type of employment relationship.

Article 3§3 of Revised Charter (Article 3§2 of 1961 Charter) Enforcement of health and safety health regulations

Please provide information on measures taken to ensure the supervision of implementation of health and safety regulations concerning vulnerable categories of workers such as:

- **domestic workers;**
- **digital platform workers;**

²⁴ On Mandatory State Social Insurance: Law of Ukraine dated 23 September 1999, No. 1105-XIV. URL: <https://zakon.rada.gov.ua/laws/show/1105-14#Text>

²⁵ Diia City – Diia City is a special legal and tax framework for IT companies in Ukraine, offering reduced taxes and flexible employment and investment models. Its main features include low tax burden, gig contract options, new legal instruments, and long-term regulatory guarantees.

²⁶ On Occupational Safety: Law of Ukraine dated 14 October 1992, No. 2694-XII. URL: <https://zakon.rada.gov.ua/laws/show/2694-12#Text>

- **teleworkers;**
- **posted workers;**
- **workers employed through subcontracting;**
- **the self employed;**
- **workers exposed to environmental-related risks such as climate change and pollution.**

According to the provisions of Article 153 of LCU, safe and harmless working conditions must be created at all enterprises, institutions, and organizations. The employer must implement modern occupational safety measures and may not require the employee to perform work that poses an obvious danger to their life. The employee has the right to refuse to perform assigned work if a production situation arises that poses a danger to the life or health of the employee or those around them, or to the environment. Law No. 2694 defines the main provisions for appropriate, safe, and healthy working conditions, regulates—together with relevant government authorities—the relations between employer and employee concerning occupational safety, hygiene, and the working environment, and establishes a unified procedure for organizing occupational safety in Ukraine.

Domestic Workers. According to Article 173-2 of the Labour Code, a domestic worker is a natural person aged 16 or older who performs domestic work within the framework of an employment relationship with an employer based on an employment contract within a household. Taking into account the specific nature of domestic work and the particular working conditions provided for in the Labour Code, domestic workers enjoy all labor rights and guarantees provided by labor legislation, including the right to safe and healthy working conditions (Part One of Article 173-3). According to Part Two of Article 153 of the Labour Code, when using the labor of domestic workers, the responsibility for creating proper, safe, and healthy working conditions rests with the parties to the employment contract. A domestic worker has the right to refuse to perform heavy work or work under harmful or dangerous conditions.

The Constitution of Ukraine, in Article 30, guarantees the inviolability of the home. Entry into a home or other private property of a person, as well as searches or inspections therein, is not permitted except by a reasoned court decision. Based on the constitutional principle of the inviolability of the home, the State Labour Service cannot carry out inspections of domestic workers' working conditions without the employer's consent. According to Article 16 of ILO Convention No. 129, labour inspectors are prohibited from entering the private home of an enterprise manager, except when consent is given by the manager or a special permit is issued by a competent authority. Article 173-7 of the Labour Code does not provide for the possibility of conducting state supervision (control) measures in households. Officials of the State Labour Service may carry out educational work and send information requests to households.

On 22 May 2025, a hearing was held in the Committee of the Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans' Rights on the topic: "Development of Legislative Regulation of Domestic Work in Ukraine." A representative of the Commissioner for Social and Economic Rights presented the

results of monitoring the practical application of the Law of Ukraine dated 25 April 2024, No. 3680-IX “On Amendments to Certain Legislative Acts of Ukraine on the Regulation of Domestic Workers’ Labor.”²⁷. The main problem identified during the monitoring was the extremely low level of formalization of employment relations. Despite the procedure provided by law for concluding an employment contract with a domestic worker and submitting the appropriate notification to the State Tax Service of Ukraine, this process is almost never used. According to information from the Pension Fund of Ukraine, from 24 August to 31 December 2024, only one person was officially employed as a domestic worker. This person, however, did not use the mechanisms of voluntary insurance in accordance with the law.

Thus, the implementation of Law No. 3680 remains limited, indicating the persistence of systemic barriers to domestic workers’ access to labor and social rights.

Platform Workers. According to Article 1 of Law No. 1667²⁸ a gig specialist is a natural person who, under a gig contract, is a contractor and/or service provider; a gig contract is a civil-law agreement under which the gig specialist undertakes to perform work and/or provide services in accordance with the tasks of a Diia City resident as the client, and the Diia City resident undertakes to pay for the completed work and/or provided services and to ensure appropriate conditions for the gig specialist to perform work and/or provide services, as well as to provide social guarantees.

According to Part Two of Article 2 of Law No. 2694, occupational safety for gig specialists who have concluded gig contracts with a Diia City resident is regulated by Law No. 1667, internal documents of the Diia City resident adopted in accordance with its provisions, and the gig contracts concluded with gig specialists. Clause 4 of Part One of Article 20 of Law No. 1667 provides that a gig contract or internal documents of the Diia City resident may establish the rules of the Diia City resident, particularly concerning occupational safety at the places of work (service provision) and places of activity of the Diia City resident, and liability for their violation.

Remote Workers. Legislation distinguishes between remote work and home-based work. According to Part One of Article 60-1 of the Labour Code of Ukraine, home-based work is a form of work organization in which the work is performed by the employee at their place of residence or in other premises designated by them, characterized by the presence of a designated area, technical means (core production and non-production assets, tools, devices, equipment) or their combination, necessary for producing goods, providing services, performing work, or functions stipulated by the founding documents, but outside the employer’s production or work premises. According to Part One of Article 60-2 of the Labour Code, remote work is a form of work organization in which the work is performed by the employee outside the employer’s premises or territory, at any location chosen by the employee, and using information and communication technologies. According to Article 13 of Law No.

²⁷ On Amendments to Certain Legislative Acts of Ukraine Regarding the Regulation of Domestic Workers’ Labor: Law of Ukraine dated 25 April 2024, No. 3680-IX URL: <https://zakon.rada.gov.ua/laws/show/3680-20#Text>

²⁸ On Stimulating the Development of the Digital Economy in Ukraine: Law of Ukraine dated 15 July 2021, No. 1667-IX. URL: <https://zakon.rada.gov.ua/laws/show/1667-20#Text>

2694, when concluding an employment contract for remote or home-based work, the employer is obliged to systematically conduct occupational safety and fire safety instructions (training) for the employee regarding the use of equipment and tools recommended or provided by the employer. Such instruction (training) may be conducted remotely using information and communication technologies, including video conferencing. In this case, confirmation of the training is considered to be the exchange of relevant electronic documents between the employer and the employee. When performing remote work, the employer is responsible for the safety and proper technical condition of the equipment and tools provided to the employee for remote work. Concluding an employment contract for remote work is prohibited if hazardous or harmful production (technological) factors are present. In case remote work is implemented, the employee independently determines their workplace and is responsible for ensuring safe and harmless working conditions there.

Seconded Workers. According to Article 2 of Law No. 2694, the provisions of this Law apply to all legal and natural persons who, according to the law, use hired labor, and to all workers. Occupational safety and hygiene requirements also extend to seconded workers.

Subcontracted Workers. According to Articles 837 and 838 of the Civil Code of Ukraine, service contracts and subcontracting agreements are civil-law agreements under which the contractor undertakes, at their own risk, to perform a certain job (e.g. manufacturing, processing, repairing an item, or other tasks). Labor law does not apply to such individuals, and occupational safety obligations rest with the contractor.

Self-Employed Persons. According to Clause 14.1.226 of Article 14 of the Tax Code of Ukraine²⁹ a self-employed person is a taxpayer who is either an individual entrepreneur or carries out independent professional activity, provided that such person is not an employee within that entrepreneurial or professional activity. *Independent professional activity* includes participation in scientific, literary, artistic, educational or teaching activities, medical practice, private notaries, private enforcement officers, lawyers, insolvency officers (property managers, administrators, liquidators), auditors, accountants, appraisers, engineers or architects, religious (missionary) activities, or other similar activities — provided that the individual is not an employee or entrepreneur employing more than four individuals.

A self-employed person is not considered an employee under labor law and is therefore independently responsible for complying with occupational safety and hygiene requirements.

The Civil Protection Code of Ukraine regulates relations concerning the protection of the population, territories, the natural environment, and property from emergencies, fires, and other hazardous events. According to Article 20 of this Code, the duties of business entities — including individual entrepreneurs — in the field of civil protection include: ensuring implementation of civil protection measures at business sites; risk assessment of emergencies at those sites; taking actions to stay within acceptable risk levels; funding civil protection measures aimed at reducing risk levels; developing fire safety measures and implementing scientific, technological, and

²⁹ Tax Code of Ukraine: Law of Ukraine dated 2 December 2010, No. 2755-VI. URL: <https://zakon.rada.gov.ua/laws/show/2755-17#Text>

practical prevention strategies³⁰.

Workers exposed to environmental risks, such as climate change and environmental pollution. According to Part One of Article 8 of Law No. 2694, in work involving harmful and hazardous working conditions, as well as in work related to pollution or adverse meteorological conditions, workers shall be provided free of charge, in accordance with established norms, with special clothing, special footwear, and other personal protective equipment, as well as cleansing and neutralizing agents. Workers engaged in one-time tasks related to the elimination of consequences of accidents, natural disasters, etc., which are not provided for by an employment contract, must also be supplied with these means.

Special regulatory acts concerning oversight of compliance with occupational safety and hygiene for workers exposed to environmental risks, such as climate change and environmental pollution, are absent in Ukraine. The employment of women in work involving harmful or hazardous working conditions, and in underground work, is prohibited (Article 10 of Law No. 2694); Minors are also not permitted to work in jobs involving harmful or hazardous working conditions (Article 11 of Law No. 2694).

State sanitary norms and rules on the Hygienic Classification of Labour are in force in Ukraine, according to which working conditions are divided into four classes: Class 1 (*optimal working conditions*) – conditions under which not only is the worker's health preserved, but prerequisites are also created for maintaining a high level of working capacity; Class 2 (*acceptable working conditions*) – conditions characterized by levels of workplace environmental factors and work processes that do not exceed established hygienic standards (and any possible changes in functional state of the body are restored during regulated rest periods or by the start of the next shift) and are not expected to have adverse effects on the health of workers and their descendants in the near or distant future; Class 3 (*harmful working conditions*) – conditions characterized by levels of harmful production factors that exceed hygienic norms and may adversely affect the worker's body and/or that of their descendants; Class 4 (*dangerous working conditions*) – conditions characterized by levels of harmful workplace environmental factors and work processes, the exposure to which during a work shift (or part of it) poses a life-threatening risk and a high probability of acute occupational injuries, including severe forms.

Work under conditions exceeding hygienic standards (Class 3) is permitted only if collective and individual protective measures are used, and the duration of exposure to harmful factors is limited (time-based protection). Work in dangerous working conditions (Class 4) is not permitted, except in cases of accident response or emergency work to prevent accidents. Such work is carried out with the use of personal protective equipment (PPE) and under regulated work regimes.³¹

³⁰ Civil Protection Code of Ukraine: Law of Ukraine dated 2 October 2012, No. 5403-VI. URL: <https://zakon.rada.gov.ua/laws/show/5403-17#top>

³¹ On Approval of the State Sanitary Norms and Rules "Hygienic Classification of Labor Based on the Indicators of Harmfulness and Danger of the Production Environment, Severity, and Tension of the Labor Process": Order of the Ministry of Health of Ukraine dated 8 April 2014, No. 248; registered with the Ministry of Justice of Ukraine on 6 May 2014 under No. 472/25249. URL: <https://zakon.rada.gov.ua/rada/show/z0472-14#Text>

Article 4§3 Right of men and women to equal pay for work of equal value

a) Please indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

Equality of rights between women and men in the field of labour, including equal remuneration, is guaranteed by Part Two of Article 24 of the Constitution of Ukraine.

This provision is specified in Article 2-1 of the Labour Code of Ukraine, which prohibits any discrimination in the field of labour, violation of the principle of equal rights and opportunities, or direct or indirect restriction of workers' rights, particularly on the basis of sex and other characteristics not related to the nature of the work.

Article 22 of the Labour Code prohibits direct or indirect restrictions of labor rights when concluding, modifying, or terminating an employment contract, which also applies to the realization of the right to equal pay. Articles 17 and 18 of Law No. 2866³² establish the obligations of employers to ensure equal pay for women and men with the same qualifications and under the same working conditions, and to include in collective agreements (contracts) provisions for addressing pay inequality between women and men—both across different sectors of the economy and within the same sector—based on a general social wage standard in the public and other sectors, as well as on the basis of professional training (retraining) of personnel.

At the same time, neither Chapter VII of the Labour Code (Remuneration of Labour) nor the Law of Ukraine “On Remuneration of Labor”³³ contain any provisions that take into account the gender aspect or establish the principle of pay equity between women and men. These legal acts also do not define the concepts of “equal work” and “work of equal value.” Law No. 2866 likewise lacks such definitions.

The Government of Ukraine is taking steps to regulate this issue legislatively, in particular in the Draft Labour Code of Ukraine (as revised in December 2024)³⁴, which includes a separate Article 142 “Remuneration Systems,” according to which remuneration systems must be constructed in a way that prevents any form of discrimination. It also states that pay systems should be structured so that no discrimination occurs during their application. Men and women must receive equal pay for the same or equivalent work. Point 8 of this article also proposes that equivalent work be defined as the performance of work which, by objective criteria, is the same as or similar enough to other work that the employees could be interchanged without significant cost to the employer. *Work of equal value* means work that, according to objective criteria, requires the same qualifications and is no less significant to the employer than other comparable work.

At the same time, the proposed definitions require further detail regarding the criteria for assessing the value of work (e.g., skills, effort, responsibility, working conditions), and a shift in focus from the interchangeability of employees from the

³² On Ensuring Equal Rights and Opportunities for Women and Men: Law of Ukraine dated 8 September 2005, No. 2866-IV. URL: <https://zakon.rada.gov.ua/laws/show/2866-15#Text>

³³ On Remuneration of Labor: Law of Ukraine dated 24 March 1995, No. 108/95-VR. URL: <https://zakon.rada.gov.ua/laws/show/108/95-%D0%B2%D1%80#Text>

³⁴ Draft Labor Code of Ukraine. URL: https://spo.fpsu.org.ua/wp-content/uploads/2024/12/d1_proekt-trudovogo-kode-su-ukrayiny-25122024.pdf

employer's cost perspective to the assessment of the work itself (its scope, complexity, responsibility, skills, etc.). In addition, pursuant to Subparagraph 2 of Paragraph 1 of Strategic Goal 1 of the Operational Action Plan for the implementation of the National Strategy for Overcoming the Gender Pay Gap for 2023–2025 (valid until 2030)³⁵ the Ministry of Economy of Ukraine, with expert support from the Good Governance Fund project “Support Program for Women Entrepreneurs in Ukraine ‘Zrostoi’” (funded by UK International Development from the Government of the United Kingdom), has developed a draft Methodology for Gender-Neutral Job Evaluation (criteria for defining equivalent work and work of equal value). The developed document is a significant step toward creating transparent and fair pay mechanisms. The methodology aims to ensure the principle of gender equality in processes of work organization, standardization, and remuneration. It establishes an approach to unbiased evaluation of work regardless of the employee's gender, and also enables the identification and analysis of factors contributing to the gender pay gap, thereby laying the foundation for eliminating discriminatory practices in the labor sphere.

At the same time, the Ombudsperson of Ukraine emphasizes that an important stage should be the validation of the developed Methodology for Gender-Neutral Job Evaluation (criteria for defining equivalent work and work of equal value) with the participation of key stakeholders—namely the Government Commissioner for Gender Policy, the Ministry of Social Policy of Ukraine, the Ministry of Justice of Ukraine, the State Labour Service of Ukraine, employers' associations, trade unions, and civil society organizations working in the field of ensuring equal rights and opportunities for women and men.

Following the adoption of the Methodology for Gender-Neutral Job Evaluation (criteria for defining equivalent work and work of equal value), it is essential to ensure the implementation of training and communication measures for employers. This will promote its proper implementation and practical application in everyday practice.

b) Please provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The Constitution of Ukraine (Articles 43 and 48) guarantees everyone the right to work, timely remuneration for it, and an adequate standard of living. These provisions form the foundation of state labor policy, including the principles of fair and equal pay for women and men.

The Labour Code of Ukraine establishes the fundamental principles of remuneration, minimum state guarantees, the procedure for calculating and paying wages, and the employer's obligation to inform the employee of its components. Law No. 108 defines the structure of wages, minimum guarantees, principles of transparency, as well as mechanisms for informing the employee about all earnings and deductions. Taken together, this legislation regulates the wage system, including in the private sector.

³⁵National Strategy for Overcoming the Gender Pay Gap for the Period Until 2030: Order of the Cabinet of Ministers of Ukraine dated 15 September 2023, No. 815-r. URL: <https://zakon.rada.gov.ua/laws/show/815-2023-%D1%80#Text>

Each year, the Law of Ukraine “On the State Budget of Ukraine” sets the minimum wage, which must be observed by all employers, including legal entities in the private sector. Despite the fact that specific approaches to wage formation may vary depending on ownership form, industry, and remuneration systems, the legal definition of the minimum wage guarantees a single lower threshold of pay for all workers, regardless of sex. State oversight and control over compliance with labor and employment legislation is exercised by the State Labour Service. However, Ukraine currently lacks a stable approach to monitoring compliance with the principle of equal pay for work of equal value. The existing system of state supervision does not contain an effective mechanism for identifying and analyzing unjustified pay gaps between women and men, particularly in the private sector.

This significantly limits the state’s ability to detect and eliminate manifestations of discrimination in the field of remuneration.

Some steps toward implementing a structured approach to remuneration have been taken in the civil service sector. Thus, by Order of the Cabinet of Ministers of Ukraine dated 27 May 2020 No. 622-r, the Concept for Reforming the Civil Service Pay System³⁶ was approved, along with an Action Plan for its implementation. According to the Action Plan, remuneration systems have been introduced based on classification of civil service positions, taking into account professional qualifications, performance, degree of responsibility assigned, and the civil servant’s personal contribution.

In addition, within the framework of the Public Administration Reform Strategy of Ukraine for 2022–2025³⁷ it is envisaged to compare wages for typical civil service positions with salaries for positions of similar complexity and responsibility in Ukraine’s private sector in order to determine a competitive level of remuneration.

On 11 March 2025, Law No. 4282 was adopted, aimed at introducing a transparent wage system for civil servants based on classification of civil service positions, strengthening the role of base salary, eliminating excessive and unjustified payments, introducing an effective mechanism to optimize the staffing limits of government bodies, and implementing a grading system.

c) Please provide information on existing measures to bring about measurable progress in reducing the gender pay gap within a reasonable time. Please provide statistical trends on the gender pay gap.

At the level of government policy, a strategic foundation has been formed for reducing the gender pay gap. On 15 September 2023, the National Strategy for Overcoming the Gender Pay Gap until 2030 was approved³⁸ along with the Operational

³⁶On Approval of the Concept for Reforming the Remuneration System of Civil Servants and Approval of the Action Plan for Its Implementation: Order of the Cabinet of Ministers of Ukraine dated 27 May 2020, No. 622-r. URL: <https://zakon.rada.gov.ua/laws/show/622-2020-%D1%80#n105>

³⁷Certain Issues of Reforming Public Administration in Ukraine: Order of the Cabinet of Ministers of Ukraine dated 21 July 2021, No. 831-r. URL: <https://zakon.rada.gov.ua/laws/show/831-2021-%D1%80#Text>

³⁸On Approval of the National Strategy for Overcoming the Gender Pay Gap for the Period Until 2030 and Approval of the Operational Action Plan for Its Implementation for 2023–2025: Order of the Cabinet of Ministers of Ukraine dated 15 September 2023, No. 815-r. URL: <https://zakon.rada.gov.ua/laws/show/815-2023-%D1%80#Text>

Action Plan for its implementation for 2023–2025. The Strategy provides for reducing the gender pay gap between women and men from 18.6% to 13.6% by 2030 and includes a set of measures aimed at improving legislation on equal pay, creating favorable conditions for overcoming gender-based occupational stereotypes and discrimination, and establishing conditions for balancing family and professional responsibilities.

In 2021, the Ministry of Social Policy approved a practical tool for comprehensive self-assessment of the status of gender equality in labor relations—the Methodological Recommendations for Conducting Gender Audits by Enterprises, Institutions, and Organizations³⁹. The *gender audit* is conducted by enterprises, institutions, or organizations regardless of ownership form on a voluntary basis, initiated by the employer, trade union body (or representative), or authorized representatives of the workforce, through examination and self-assessment of internal organizational processes and the structure of the enterprise, institution, or organization. The application of this tool is particularly valuable in the context of identifying the gender pay gap, as one of the key areas recommended for analysis during a gender audit is human resources. This area involves a gender analysis of personnel policies and staff composition, reasons for employee turnover, levels of pay and compensation, individual professional development programs, and performance evaluation results. At the same time, particular attention is given to assessing the level of understanding of gender equality principles, especially in pay, among leadership and employees, as well as identifying the need for awareness-raising or training on these issues.

One of the sources that can indirectly serve to obtain data on the gender pay gap at the local level is the gender profile of a territorial community. The Ministry of Social Policy approved Methodological Recommendations for Implementing the Gender Approach and the Human Rights-Based Approach at the Level of Territorial Communities⁴⁰. The purpose of developing a *gender profile of a territorial community* is to identify differences in the levels of participation of women and men, realization of their rights and opportunities in various spheres of social life, and their access to resources for use in the development and implementation of gender-sensitive development programs and the formation of budgetary programs.

According to the above-mentioned order, it is recommended to prepare the gender profile of a territorial community at least once every three years (taking into account the specifics and size of the community). The profile may contain information about the economic development of the community, including employment and unemployment rates, education, the average monthly wages of women and men, and existing wage gaps in different areas of economic activity.

On 2 May 2025, Order No. 439-r introduced amendments to the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men until 2030 and

³⁹ On Approval of Methodological Recommendations for Conducting Gender Audits by Enterprises, Institutions, and Organizations: Order of the Ministry of Social Policy of Ukraine dated 9 August 2021, No. 448. URL: <https://zakon.rada.gov.ua/rada/show/v0448739-21#Text>

⁴⁰ On Approval of Methodological Recommendations for Implementing the Gender-Based Approach and the Human Rights-Based Approach at the Level of Territorial Communities: Order of the Ministry of Social Policy of Ukraine dated 7 December 2022, No. 359. URL: <https://zakon.rada.gov.ua/rada/show/v0359739-22#Text>

approved the Operational Plan for its implementation in 2025–2027⁴¹. In particular, the operational plan provides for:

- the development of methodological recommendations for conducting gender audits of territorial communities and for planning inclusive spaces, infrastructure, and public transportation routes that take into account the needs of different groups of community residents. This will promote the formation of a unified approach to assessing the impact of infrastructure on the economic opportunities of women and men. This is important for a comprehensive analysis of the factors influencing the gender pay gap;
- the implementation of gender audits in territorial communities, which will enable the collection of data on gender disparities in access to resources, services, and infrastructure. Such data will help to more deeply analyze the causes of pay inequality and take targeted measures to eliminate it.

The results of gender audits and the data collected on disparities in access to services, infrastructure, and economic opportunities for different groups of women and men, especially among vulnerable populations, form the basis for the inclusion of gender-responsive measures in strategic and programmatic documents of territorial communities. This, in turn, contributes to more targeted responses to factors affecting the gender pay gap and can serve as a tool for its gradual reduction.

On 2 December 2020, a list of indicators was approved by which data collection for monitoring gender equality should be carried out⁴². The list contains 226 indicators, 104 of which are compiled by the State Statistics Service of Ukraine, while the rest are compiled by other state authorities, local governments, and institutions⁴³. These indicators are grouped into 12 thematic sections: “Population”; “Birth rate, family, and households”; “Employment and economy”; “Education”; “Public life and decision-making”; “Health and mortality”; “Offenses and violence”; “Science and information and communication technologies”; “Work-life balance”; “Social protection”; “Physical culture and sports”; “Women. Peace. Security.”

In March 2025, the Gender Equality Index in Ukraine⁴⁴ was presented for the first time—an assessment of the status of gender equality in Ukraine conducted using the European Union methodology. The assessment was carried out across seven domains: “Work,” “Money,” “Knowledge,” “Time,” “Power,” “Health,” and “Violence.”

According to the evaluation in the “Work” domain—employment level and job quality—Ukraine scored 65.6 points compared to 73.8 points in EU countries. Within the “Work” domain, Ukraine ranks 25th for the labor market participation sub-index

⁴¹ Certain Issues Related to the Implementation of the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men Until 2030: Order of the Cabinet of Ministers of Ukraine dated 2 May 2025, No. 439-r. URL: <https://zakon.rada.gov.ua/laws/show/439-2025-%D1%80#Text>

⁴² Issues of Data Collection for Monitoring Gender Equality: Order of the Cabinet of Ministers of Ukraine dated 2 December 2020, No. 1517-r. URL: <https://zakon.rada.gov.ua/laws/show/1517-2020-%D1%80#Text>

⁴³ Monitoring Report “Indicators for Monitoring Gender Equality in Ukraine,” developed by the State Statistics Service of Ukraine with the support of UN Women in Ukraine, 2021. URL: https://www.ukrstat.gov.ua/druk/publicat/kat_u/2021/2021_Indukator-Monitor.pdf

⁴⁴ Gender Equality Index in Ukraine. URL: https://uwf.org.ua/wp-content/uploads/2025/03/gender_index_ukr_web.pdf

for men and women, and last for the sub-index measuring gender-based segregation and job quality. In the “Money” domain, the Index notes that Ukraine belongs to the group of countries with a low level of pay. The score for this domain was 76.6 points, which is 6.0 points lower than the EU average of 82.6. The Index indicates that the pay gap between working women and men may be linked to structural factors such as horizontal and vertical segregation in the labor market.

According to the Global Gender Gap Index⁴⁵ for 2022–2024, the gender gap in Ukraine has decreased each year. Data for the “Economic participation and career opportunities” domain is shown below:

	2022		2023		2024	
Economic participation and career opportunities	Rank	Index score	Rank	Index score	Rank	Index score
	62	0,710	55	0,714	40	0,737

In the domain of “Economic participation and career opportunities,” Ukraine moved from 62nd to 40th place, indicating positive progress in closing the gap. The Index measures gender inequality based on 14 indicators across four main areas: economic participation and career opportunities; educational attainment; health and life expectancy; and political empowerment.

It is worth noting that the full-scale war of the Russian Federation against Ukraine has led to significant disruptions in the system of statistical data collection, particularly regarding gender aspects in the labor market. Under the provisions of Law No. 2115, reporting by entities—except for those with budgetary authority—is permitted within three months after the termination or cancellation of martial law or the state of war.

As a result, the State Statistics Service does not receive full reporting necessary to produce official government statistical information. State Statistics Service of Ukraine also does not conduct household sample surveys, resulting in a lack of current data on labor force, employment, unemployment, household income, and expenditures. This situation significantly complicates regular measurement of the gender pay gap as well as analysis of its trends across various sectors of the economy.

At the same time, based on available data of the State Statistics Service of Ukraine on the average size of monthly pensions assigned to Ukrainian pensioners of all categories by sex, it is evident that women’s pensions remain lower than those of men. This situation is due, among other factors, to women’s lower average wages throughout their working lives, which affects the amount of insurance contributions and, consequently, pension benefits. In this context, the above should be considered a delayed effect of the gender pay gap, manifesting as lower levels of social protection for women in old age.

⁴⁵ Global Gender Gap Index data for 2022–2024 URL: <https://worldpopulationreview.com/country-rankings/global-gender-gap-by-country#sources>

Year	Average pension (UAH)			
	Men	Newly assigned pensions	Women	Newly assigned pensions
2019 ^[46]	3851,05	3447,98	2602,47	2763,70
2020 ^[47]	4242,53	4115,39	3031,32	3316,22
2021 ^[48]	4898,50	4577,99	3407,60	3842,11
2022 ^[49]	5701,94	5049,94	3926,52	4578,95
2023 ^[50]	6587,87	5901,38	4603,88	5016,81

Article 5 Right to organise

a) Please indicate what measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy).

According to Parts Three and Four of Article 36 of the Constitution of Ukraine, citizens have the right to participate in trade unions for the purpose of protecting their labor and socio-economic rights and interests. Trade unions are public organizations that unite citizens based on common interests related to the type of their professional activity. According to Article 12 of Law No. 1045⁵¹, trade unions and their associations are independent in their activities from state authorities and local self-government bodies, employers, other public organizations, and political parties. They are neither accountable nor subordinate to these entities. Interference by state authorities, local self-government bodies, their officials, employers, or their associations in the statutory activities of trade unions, their organizations, and associations is prohibited.

Employees, including those working in sectors traditionally characterized by low levels of unionization, or in emerging fields, have the right to unionize.

As of 1 January 2025, according to data from the Federation of Trade Unions of Ukraine (FPU), the total number of members of organizations affiliated with the FPU was 2,621,875 individuals. The FPU consists of 71 member organizations, including 46 national-level trade unions and 25 territorial trade union associations. Between 2022 and 2024, no trade unions of gig workers or platform workers were present among the FPU's member organizations.

⁴⁶ https://ukrstat.gov.ua/druk/publicat/kat_u/2020/zb/07/zb_szn_2019.pdf

⁴⁷ https://ukrstat.gov.ua/druk/publicat/kat_u/2021/zb/07/zb_szn_2020.pdf

⁴⁸ https://ukrstat.gov.ua/druk/publicat/kat_u/2022/zb/07/zb_szn_2021.pdf

⁴⁹ https://www.ukrstat.gov.ua/druk/publicat/kat_u/2023/zb/10/zb_szn_2022.pdf

⁵⁰ https://www.ukrstat.gov.ua/druk/publicat/kat_u/2025/zb/02/zb_szn_2023.pdf

⁵¹ On Trade Unions, Their Rights and Guarantees of Activity – Law of Ukraine dated 15 September 1999, No. 1045-XIV URL: <https://zakon.rada.gov.ua/laws/show/1045-14#n84>

According to the Confederation of Free Trade Unions of Ukraine (CFTUU), its membership totals 162,000 individuals.

b) Please describe the legal criteria used to determine the recognition of employers' organisations for the purposes of engaging in social dialogue and collective bargaining.

Criteria of representativeness for employers are established by the provisions of Articles 5 and 6 of Law No. 2862⁵². Such criteria include: legalization (registration) of the respective organizations (associations) and their status; the total number of employees working at enterprises that are members of the respective employers' organizations; sectoral and territorial coverage.

Depending on the level of social dialogue, the following representativeness criteria for employers are established:

1. at the national level – for participation in collective negotiations for the conclusion of a general agreement – they are nationwide associations of employers' organizations whose member enterprises employ not fewer than two hundred thousand employees; include associations of employers' organizations in the majority of administrative-territorial units of Ukraine, and also not fewer than three nationwide associations of employers' organizations;
2. at the sectoral level – for participation in collective negotiations for the conclusion of sectoral (inter-sectoral) agreements – they are nationwide associations of employers' organizations formed on a sectoral basis, whose member enterprises employ not fewer than five percent of employees engaged in the respective type(s) of economic activity;
3. at the territorial level – for participation in collective negotiations for the conclusion of territorial agreements – they are employers' organizations or their associations operating in the respective administrative-territorial unit, whose member enterprises employ not fewer than five percent of the employed population in that administrative-territorial unit;
4. at the local level – for participation in collective negotiations for the conclusion of collective agreements – they are the employer's side, represented by the employer and/or authorized representatives of the employer.

The National Mediation and Conciliation Service⁵³, in accordance with its assigned tasks, in particular, conducts assessments of compliance with representativeness criteria of employers' organizations and their associations at the national and sectoral levels.

During the monitoring process, it was found that at the national level there are 3 representative employers' organizations; at the sectoral level, as of 01.01.2023, there were 16; as of 08.05.2025 – 12.

⁵² On Social Dialogue in Ukraine – Law of Ukraine dated 23 December 2010, No. 2862-VI URL: <https://zakon.rada.gov.ua/laws/show/2862-17#top>

⁵³ Regulation on the National Mediation and Conciliation Service – Decree of the President of Ukraine dated 17 November 1998, No. 1258/98 URL: <https://zakon.rada.gov.ua/laws/show/1258/98#Text>

c) Please describe the legal criteria used to determine the recognition and representativeness of trade unions for the purposes of engaging in social dialogue and collective bargaining.

Criteria of representativeness for trade unions in order to participate in social dialogue and collective bargaining are also defined in accordance with the provisions of Articles 5 and 6 of Law No. 2862.

Depending on the level of social dialogue, the following criteria of representativeness are provided for trade unions:

1. at the national level – for participation in collective bargaining to conclude a general agreement – are nationwide trade union associations that have at least one hundred and fifty thousand members; include trade unions in the majority of administrative-territorial units of Ukraine, and also have at least three nationwide trade unions and at least three nationwide associations of employers' organizations.
2. at the sectoral level – for participation in collective bargaining to conclude sectoral (intersectoral) agreements – are nationwide trade unions whose members constitute at least three percent of the workers employed in the relevant sector;
3. at the territorial level – for participation in collective bargaining to conclude territorial agreements – are regional, local trade unions, their organizations and associations created on a territorial basis, whose members make up at least two percent of the employed population in the respective administrative-territorial unit;
4. at the local level – for participation in collective bargaining to conclude collective agreements – are the workers' side, whose subjects are primary trade union organizations, and in their absence – freely elected representatives (representative) of the workers.

Trade unions and their associations that do not meet the criteria of representativeness may, by decision of their elected bodies, delegate powers to representative organizations and associations of the relevant level to represent their interests or submit their proposals for consideration by the relevant bodies of social dialogue. These proposals are mandatory for consideration by the parties during the formation of a coordinated position and decision-making.

According to the provisions of Article 9 of Law No. 2862, the allocation of quotas among representative trade unions and their associations is carried out in proportion to the number of their members, but not less than one representative from each representative trade union, employers' organization, and their associations of the corresponding level. In accordance with the quotas approved at the meeting of authorized representatives, representative trade unions and their associations delegate their representatives to the trade union side of social dialogue bodies based on decisions of the elected bodies operating in these organizations in accordance with their statutes.

A collective agreement is concluded at an enterprise, institution, organization, as well as with an individual who employs hired labor (Article 11 of the Labour Code). According to the provisions of Article 12 of the Labour Code, the parties to the

collective agreement on the workers' side are the workers' side, whose subjects are primary trade union organizations operating at the enterprise, institution, organization, separate subdivisions of a legal entity, uniting employees of an individual who employs hired labor, and representing the interests of employees working under employment contracts at the enterprise, institution, organization, or with an individual. In the absence of such, the interests are represented by freely elected representatives (representative) of the workers for conducting collective negotiations. If several primary trade union organizations are created, they must, on the basis of proportional representation (according to the number of members of each), form a joint representative body for conducting negotiations on the conclusion of a collective agreement by concluding an appropriate agreement and notifying the employer in writing. A primary trade union organization that refused to participate in the joint representative body is deprived of the right to represent the interests of workers during the signing of the collective agreement.

According to the statistical data of the National Mediation and Conciliation Service (NMCS), as of 01.01.2023, there were 3 representative trade unions, their organizations and associations at the national level; as of 01.01.2024 – 5; at the sectoral level: as of 01.01.2023 – 55, as of 01.01.2024 – 51, as of 01.01.2025 – 49.

d) Please indicate whether and to what extent the right to organise is guaranteed for members of the police and armed forces.

According to Part Two of Article 3 of Law No. 1045, the specific features of trade union activity in the Armed Forces of Ukraine (for military personnel), the National Police, the State Criminal-Executive Service of Ukraine, the Security Service of Ukraine, the Foreign Intelligence Service of Ukraine, and the Court Security Service are determined by the respective laws.

According to the provisions of Article 17 of Law No. 1934, military personnel suspend their membership in trade unions for the duration of their military service. The organization of strikes and participation in their conduct by military personnel and reservists while performing their duties in the military reserve is not permitted. The functioning of trade unions of employees who have concluded employment contracts with the Armed Forces of Ukraine is carried out in accordance with Law No. 1045. The organization of strikes and participation in them by employees of the Armed Forces of Ukraine is not permitted⁵⁴.

According to Article 104 of Law No. 580, for the protection of their rights and lawful interests, police officers may form professional associations and trade unions in accordance with Law No. 1045. Trade unions of the police carry out their powers taking into account the restrictions imposed on police officers by this Law. Trade unions of police employees and their members are prohibited from organizing or participating in strikes. If a Collegium is established within the Central Police

⁵⁴ On the Armed Forces of Ukraine – Law of Ukraine dated 6 December 1991, No. 1934-XII, Article 17 URL: <https://zakon.rada.gov.ua/laws/show/1934-12#n188>

Administration Body, a representative of the nationwide trade union association of police employees, elected by this association, must be included in its personnel⁵⁵.

Monitoring has established that among police employees, there exists a Nationwide Trade Union of the National Police, which is not part of a nationwide trade union association. In some territorial police bodies, including interregional ones and State institutions of vocational (vocational-technical) education with specific learning conditions, primary trade union organizations have been registered and are active. Thus, to date, the structure of the Trade Union includes primary trade union organizations of employees of the Main Departments of the National Police in Vinnytsia, Volyn, Dnipropetrovsk, Zhytomyr, Zakarpattia, Ivano-Frankivsk, Kyiv, Kirovohrad, Lviv, Mykolaiv, Odesa, Poltava, Rivne, Sumy, Ternopil, Kharkiv, Khmelnytskyi, Cherkasy, Chernihiv, Chernivtsi regions and the city of Kyiv.

Primary trade union organizations also operate in the Central Police Administration Body, the Department of Strategic Investigations, the Department of Special Purpose Police “United Assault Brigade of the National Police ‘Liut,’” as well as in the State institution of vocational (vocational-technical) education with specific learning conditions “Zhytomyr Patrol Police Academy” of the National Police of Ukraine.

The primary trade union organization, based on a decision, forms trade union groups in the structural subdivisions of the police. Primary trade union organizations, at the initiative of employers, provide representatives for inclusion in relevant commissions, and also designate representatives of local branches to participate in certain meetings of collegial bodies and consultations of the leadership of police units. According to available data, the representatives of these organizations are mainly members of the following commissions: on bonuses; on personnel transfers and dismissals in the police; primary trade union commissions on social insurance, in connection with temporary disability; on investigation of accidents; on disciplinary responsibility; on housing commissions; on the issue of monetary compensation to police officers for rental housing, etc.

Trade unions review draft regulatory legal acts concerning the activities of the bodies and subdivisions of the National Police of Ukraine. Based on the results of the review, proposals, comments, or an approval sheet for these drafts are provided. At the initiative of structural subdivisions, representatives of the Trade Union were included in the development of standards in certain areas of professional activity and other regulatory legal acts concerning police activity. Within its powers, the Trade Union carries out public oversight over compliance with labor legislation, occupational safety rules, and the fulfillment of the conditions of collective agreements and arrangements in the bodies of the National Police of Ukraine, in accordance with Article 26 of Law No. 1045.

⁵⁵ On the National Police – Law of Ukraine dated 2 July 2015, No. 580-VIII URL: <https://zakon.rada.gov.ua/laws/show/580-19#n1048>

Article 6§1 Joint consultation

a) Please state what measures are taken by the Government to promote joint consultation.

For the conduct of social dialogue, pursuant to Articles 11–13 of Law No. 2862, the President of Ukraine, on April 2, 2011⁵⁶ the National Tripartite Socio-Economic Council (hereinafter – the National Council) was established as a standing body, along with the Secretariat of the National Council, which provides organizational, informational, methodological, and material-technical support for the activities of the National Council⁵⁷. The National Council is composed of 60 members, who perform their duties on a voluntary basis: 20 members of the trade union side, delegated by representative trade union associations with nationwide status; 20 members of the employers' side, delegated by representative associations of employers' organizations with nationwide status; 20 members of the government side, appointed by the Cabinet of Ministers of Ukraine. Each side of the National Council appoints a co-chair and their deputies from among its members. The Chairperson of the National Council is appointed by the President of Ukraine from among the members of the National Council upon the submission of the Presidium of the National Council for a one-year term, convenes meetings, including extraordinary ones, and presides over them. The highest governing body of the National Council is the meeting, which is held at least once every three months in accordance with the plan of activities for the implementation of priority areas of work for the relevant year. An extraordinary meeting may be convened by the Chairperson of the National Council, including at the request of one of the sides.

The main tasks of the National Council include: the development of a consolidated position of the parties to the social dialogue regarding the strategy for Ukraine's economic and social development and ways to address existing issues in this sphere; the preparation and submission of coordinated recommendations and proposals to the President of Ukraine, the Verkhovna Rada of Ukraine, and the Cabinet of Ministers of Ukraine on the formation and implementation of state economic and social policy, and the regulation of labor, economic, and social relations. Proposals and recommendations adopted within the competence of the National Council and approved by its decision are mandatory for consideration by state authorities and local self-government bodies to whom they are addressed.

In 2025, the Ombudsman of Ukraine conducted a monitoring of the activities of the National Council for the period from 2015 to 2024. The results of the monitoring showed that the National Council did not hold quarterly meetings as defined by Law No. 2862: over 9 years of work, only 8 meetings were held and 79 proposals and recommendations were submitted to the Parliament, the Government, and ministries.

⁵⁶ On the National Tripartite Socio-Economic Council – Presidential Decree of Ukraine dated 2 April 2011, No. 347/2011 URL: <https://zakon.rada.gov.ua/laws/show/347/2011#Text>.

⁵⁷ Regulations on the Secretariat of the National Tripartite Socio-Economic Council – Presidential Decree of Ukraine dated 30 May 2012, No. 366/2012 URL: <https://zakon.rada.gov.ua/laws/show/366/2012#Text>

The monitoring could not determine the status of implementation of these recommendations. During this period, only two Chairpersons of the National Council were appointed (in accordance with Part One of Article 13 of Law No. 2862, the Chairperson of the National Council is appointed by the President of Ukraine from among the members of the National Council upon the submission of its Presidium for a one-year term).

Thus, the National Council is not fully exercising its powers as provided by law.

According to the monitoring results, the Head of the Joint Representative Body states that the social dialogue on the formation and implementation of state social and economic policy, and the regulation of labor relations is not being conducted in full. For example, in 2024, no full-fledged tripartite work was conducted for the joint preparation of proposals to the draft Budget Declaration for 2025–2027 and the State Budget for 2025, as provided by the mechanisms of the National Council. Although trade unions submitted their proposals to these drafts, they were not considered at a meeting of the National Council, as provided by law and past practice. As a result, last year's levels of the monthly minimum wage (8,000 UAH)⁵⁸, the subsistence minimum (in particular, for able-bodied persons – 3,028 UAH), and the base salary (tariff rate) of an employee of the 1st tariff grade of the Unified Tariff Scale (3,195 UAH) were “frozen” for three years.

Due to the unsatisfactory performance of the National Council, the importance of alternative platforms for ensuring effective social dialogue is growing, particularly parliamentary ones. A special role in this context is played by the Committee of the Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans' Rights, whose activities involve extensive interaction with interested parties. The Secretariat of the Ombudsman of Ukraine actively participates in the work of the Committee, including as part of working groups for finalizing draft laws for the second reading, round tables, and during Committee meetings.

Social partners – representatives of trade union associations and employers' organizations of Ukraine – also take part in this work. Their participation in Committee meetings and working groups contributes to the proper consideration of the interests of employees and employers in the process of labor policy formation. Examples of such cooperation include the joint participation of the Secretariat of the Ombudsman of Ukraine and social partners in finalizing the second reading of several draft laws, in particular: “On Collective Labor Disputes” (reg. No. 12034 of 16.09.2024), “On Amendments to Article 11 of the Law of Ukraine ‘On the Organization of Labor Relations under Martial Law’ regarding the suspension of certain provisions of the collective agreement” (reg. No. 12291-1 of 20.12.2024).

b) Please describe what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

⁵⁸ According to the official exchange rate of the National Bank of Ukraine as of 19.06.2025, 1€ = 47.9 UAH; therefore, a minimum wage of 8000 UAH equals 167€.

Article 8 of Law No. 2862 defines the forms of social dialogue, including exchange of information; consultations; coordination procedures; collective bargaining for the conclusion of collective agreements and accords.

Exchange of information is carried out to clarify positions, reach agreements, seek compromise, and make joint decisions on economic and social policy issues; consultations – to determine and reconcile the positions of the parties when making decisions within their competence; coordination procedures – to take into account the positions of the parties and develop compromise, coordinated decisions during the drafting of regulatory legal acts.

According to the Rules of Procedure⁵⁹ the Government of Ukraine involves nationwide trade unions, their associations, and nationwide employers' associations in decision-making on matters related to the formation and implementation of state social and economic policy and the regulation of labor, social, and economic relations. Within such processes, experts from the Secretariat of the Ombudsman of Ukraine were involved in consultations initiated by the Government of Ukraine. In particular, the Representative of the Commissioner on social and economic rights took part in the working group established under the Ministry of Economy for the preparation of the draft Labor Code of Ukraine (hereinafter – draft LCU).

During the monitoring, information was received from the Confederation of Free Trade Unions of Ukraine indicating that the draft LC was developed without the participation of trade unions, and that the comments and proposals of trade unions were ignored. Only after receiving negative comments from International Labour Organization experts regarding the draft LC, the Ministry of Economy created a working group that included representatives of the parties to social dialogue. The Head of the Joint Representative Body (SPO) reported that consultations were held in 2024 during the review of the draft LC, the draft Budget Declaration for 2025–2027, and the draft State Budget of Ukraine for 2025, but the vast majority of trade union proposals were not taken into account.

According to the provisions of Law No. 3356⁶⁰ agreements are concluded at the national, sectoral, and territorial levels on a bilateral or tripartite basis: at the national level – a general agreement; at the sectoral level – sectoral (intersectoral) agreements; at the territorial level – territorial agreements.

A national-level agreement regulates the main principles and standards for the implementation of socio-economic policy and labor relations, in particular regarding: labor guarantees and ensuring productive employment; minimum social guarantees for wages and income for all groups and segments of the population that would ensure a decent standard of living; the amount of the subsistence minimum, minimum standards; social insurance; labor relations, working hours and rest periods; occupational safety and environmental conditions; meeting the spiritual needs of the population; conditions for the growth of wage funds and the establishment of intersectoral wage ratios;

⁵⁹ Regulations of the Cabinet of Ministers of Ukraine – Resolution of the Cabinet of Ministers dated 18 July 2007, No. 950 (as amended by Resolution No. 1156 dated 9 November 2011) URL: <https://zakon.rada.gov.ua/laws/show/950-2007-%D0%BF#Text>

⁶⁰ On Collective Agreements and Contracts – Law of Ukraine dated 1 July 1993, No. 3356-XII URL: <https://zakon.rada.gov.ua/laws/show/3356-12#Text>

ensuring equal rights and opportunities for women and men; measures aimed at preventing, combating, and ending mobbing (harassment), as well as measures to restore rights violated as a result of mobbing (harassment); prohibition of discrimination.

On May 14, 2019, a General Agreement was concluded between nationwide associations of employers' organizations, nationwide associations of trade unions, and the government side for 2019–2021⁶¹. As of May 2025, the mentioned General Agreement remains in effect, with no amendments made over six years, even despite the transformation of labor relations due to martial law.

Between January 1, 2022, and May 1, 2025, the Ministry of Economy carried out the notification-based registration of 21 sectoral agreements, 2 regional-level territorial agreements, and 19 amendments and additions to them.

c) Please state if there has been any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

During the monitoring regarding the conduct of joint consultations on issues related to the transition to digital technologies or the transition to an environmentally sustainable economy (green transition), inquiries were sent to the Federation of Trade Unions of Ukraine (FPU), the Confederation of Free Trade Unions of Ukraine (CFTUU), the Union of Employers' Organizations of Ukraine (OORU), and the Federation of Employers of Ukraine (FEU). The responses from the FEU and OORU contained no information. The CFTUU reported that communication is taking place, but did not provide specific data on the issues discussed during the joint consultations, the number of participants, or the decisions made.

Employees of the Secretariat of the Ombudsman of Ukraine, as well as the parties to the social dialogue – trade unions and employers' organizations – participated in individual working groups, forums, and discussions dedicated to issues of transition to digital technologies and an environmentally sustainable economy. However, these events are isolated in nature and do not have a systemic status. For example: the interagency working group on achieving the Sustainable Development Goals under the Cabinet of Ministers of Ukraine (14 August 2024). The group, which discussed the update of local tasks and indicators (in particular Goal 7 “Affordable and Clean Energy”), included the Representative of the Commissioner on social and economic rights.

The issue of conducting joint consultations on the transition to digital technologies and an environmentally sustainable economy cannot currently be considered adequately regulated or implemented in practice, as the information received from social partners is incomplete or absent.

⁶¹ General Agreement – General Agreement on Regulation of the Main Principles and Norms for Implementation of Socio-Economic Policy and Labor Relations in Ukraine for 2019–2021 URL: <https://zakon.rada.gov.ua/laws/show/n0001120-19#Text>

Article 6§2 Collective bargaining

a) Please provide information on how collective bargaining is coordinated between and across different bargaining levels including information on: the operation of factors such as erga omnes⁶² clauses and other mechanisms for the extension of collective agreements; the operation of the favourability principle and the extent to which local/workplace agreements may derogate from legislation or collective agreements agreed at a higher level.

According to the provisions of Law No. 3356, the terms of collective agreements and accords concluded in accordance with current legislation are mandatory for the enterprises to which they apply and for the parties that concluded them.

The provisions of a collective agreement apply to all employees of an enterprise regardless of whether they are members of a trade union and are binding on both the employer and the employees of the enterprise.

A collective agreement or accord enters into force on the day it is signed by the representatives of the parties or on the date specified in the collective agreement or accord. After the expiration of its term, a collective agreement or accord remains in effect until the parties conclude a new one or revise the current one, unless otherwise provided by the agreement.

b) Please provide information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining).

Disagreements arising between the parties to social and labor relations regarding the conclusion or amendment of a collective agreement are, according to Article 2 of Law No. 137⁶³ considered a collective labor dispute (conflict) (hereinafter – CLD(C)).

Upon the occurrence of a CLD(C), the body representing the interests of the hired workers or the trade union is obliged to inform the employer, the local executive authority, the local self-government body at the location of the enterprise, and the National Mediation and Conciliation Service (NMCS) in writing within three days.

During the monitoring, information was received from NMCS for the years 2022 to 2025 regarding CLD(C). During the mentioned period, NMCS registered 5 CLD(C) in which hired workers put forward demands concerning the conclusion of collective agreements: in 2022 – 3 CLD(C) in Khmelnytskyi region; in 2024 – 1 CLD(C) in Kharkiv region; in 2025 – 1 CLD(C) in Dnipropetrovsk region.

The introduction of martial law in Ukraine has had no impact on the resolution of CLD(C) related to the conclusion of collective agreements. Thus, with the assistance of NMCS, 3 CLD(C) in Khmelnytskyi region and 1 CLD(C) in Kharkiv region were resolved and removed from registration. The 1 CLD(C) in Dnipropetrovsk region,

⁶² Obligations applicable to all employees, including those who are not trade union members (translator's note)

⁶³ On the Procedure for Resolving Collective Labor Disputes (Conflicts) – Law of Ukraine dated 3 March 1998, No. 137/98-BP URL: <https://zakon.rada.gov.ua/laws/show/137/98-%D0%B2%D1%80#Text>

registered by NMCS in March 2025, is currently in the process of resolution.

NMCS provided examples of pressure exerted by employers on the trade union side during the conclusion of collective agreements, broken down by year for the period from 2022 to 2025. The monitoring identified obstacles to the conclusion of collective agreements that led to CLD(C):

- refusal by the enterprise administration to conclude a collective agreement at the initiative of the trade union and to assume the corresponding obligations – this led to a CLD(C) in Dnipropetrovsk region between the primary trade union organization of the Independent Trade Union of Miners of Ukraine at LLC “Impuls-kompani” and the administration of LLC “Impuls-kompani”;

- inaction of the theater management regarding the organization of a labor collective conference to adopt a new collective agreement, and the obstruction and delay of the process of discussing and reviewing the draft collective agreement for the period 2024–2029 – this led to a CLD(C) between the primary trade union organization of the Communal Institution “Kharkiv Theater for Children and Youth” and the administration of the same institution;

- unwillingness of the enterprise administration to start the negotiation process on the conclusion of a new collective agreement – this led to 3 CLD(C) between specific categories of hired workers of emergency medical teams of the city of Khmelnytskyi, Khmelnytskyi Emergency Medical Station of the Municipal Non-Profit Enterprise “Khmelnytskyi Regional Center for Emergency Medical Care and Disaster Medicine” and the administration of this enterprise.

During the monitoring, information was received from FPU indicating that the following are obstacles to effective collective bargaining:

- formality of consultations – consultations are conducted formally, without an intention to consider the positions of the parties: the Government may listen to trade union representatives but not take their proposals into account when making decisions; sometimes decisions are made before consultations are completed, which undermines the negotiation mechanism itself;

- insufficient representation of the trade union side – due to a lack of proper representativeness or problems with confirming status, not all trade unions and their associations can fully participate in social dialogue;

- lack of binding force of decisions – decisions made during consultations are not legally binding, which allows the Government or employers to ignore them; there are no effective mechanisms for monitoring the implementation of agreements;

- low quality of preparation and expertise – consultations are often conducted without prior analysis, expert evaluation, or comparative data; the absence of professional materials complicates meaningful discussion, especially in sectors with high regulatory complexity;

- influence of the political and military situation – during wartime, the centralization of power becomes more pronounced, and social dialogue is often pushed aside: the risk increases that emergency decisions are made without consultations;

- lack of procedural regulation – absence of a unified procedure for organizing consultations, deadlines, formats, and requirements for decisions; vagueness in identifying responsible persons and bodies that must initiate or conduct consultations;

- divergence of interests – conflicts of interest often arise between the

government, employers, and trade unions; negotiations may reach an impasse due to an inability to reach compromise.

c) Please provide specific details on: the measures taken or planned in order address those obstacles; the timelines adopted in relation to those measures; • the outcomes achieved/expected in terms of those measures.

According to Article 11 of Law No. 3356, for the settlement of differences during collective bargaining, the parties use conciliation procedures. If the parties fail to reach an agreement due to reasons beyond their control, a protocol of differences is drawn up, which includes the parties' final proposals on measures needed to eliminate those reasons, as well as on the deadlines for resuming negotiations.

If no agreement is reached between the parties regarding the adoption of recommendations, the organization and conduct of strikes is permitted, in a manner that does not contradict the legislation of Ukraine. To support their demands during negotiations on the drafting, conclusion, or amendment of a collective agreement or accord, trade unions and other employee-authorized bodies may conduct meetings, rallies, pickets, and demonstrations in accordance with established procedure.

d) Please provide information on the measures taken or planned to guarantee the right to collective bargaining of (i) economically dependent (self-employed) persons showing some similar features to workers and (ii) self-employed workers.

According to subparagraph 14.1.226 of paragraph 14.1 of Article 14 of the Tax Code of Ukraine, a *self-employed* person is a taxpayer who is either an individual entrepreneur or engaged in independent professional activity, provided that such a person is not an employee within the framework of such entrepreneurial or professional activity. The activity of a self-employed person is not regulated by labor legislation.

Article 3 of Law No. 3356 stipulates that the parties to a collective agreement are: the employer's side and the employees' side, represented by primary trade union organizations, and in their absence – by freely elected employees.

Thus, there is currently no systematic legal mechanism in Ukraine for guaranteeing the right to collective bargaining for economically dependent (self-employed) individuals who share some characteristics with employees, or for self-employed workers.

During a hearing of the Verkhovna Rada Committee on Social Policy held on 22 May 2025, the Director of the Labor Department of the Ministry of Economy reported that Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions on platforms has been adopted; however, no specific measures or plans regarding its implementation into national legislation were announced at that hearing⁶⁴.

⁶⁴ Verkhovna Rada Committee on Social Policy and Protection of Veterans' Rights (27.05.2025) – "How 'Invisible' Workers Become 'Visible,' and Domestic Work Becomes Prestigious" https://www.rada.gov.ua/news/news_kom/262441.html

Article 6§4 Collective action

a) Please indicate: the sectors in which the right to strike is prohibited; those sectors for which there are restrictions on the right to strike; sectors for which there is a requirement of a minimum service to be maintained. Please give details about the relevant rules concerning the above and their application in practice, including relevant case law.

The right to strike is guaranteed by Article 44 of the Constitution of Ukraine, which stipulates that the procedure for exercising the right to strike is established by law, taking into account the need to ensure national security, public health, and the rights and freedoms of other people; a strike may be prohibited only on the basis of law.

A strike is a temporary collective voluntary cessation of work by employees (refusal to report to work, failure to perform their job duties) of an enterprise, institution, organization (or structural unit) with the aim of resolving a collective labour dispute (conflict).

According to the provisions of Law No. 3356, in order to settle disagreements during collective bargaining, the parties use conciliation procedures. If the parties fail to reach agreement during the negotiations, a protocol of disagreements is drawn up, into which the parties' final proposals are entered. Within three days after drawing up the protocol of disagreements, the parties conduct consultations, form a conciliation commission from among their members, and, if no agreement is reached, turn to a mediator chosen by the parties. The conciliation commission or mediator, within seven days, reviews the protocol of disagreements and issues recommendations on the substance of the dispute. If the parties fail to reach agreement regarding the implementation of the recommendations, the organization and conduct of strikes is allowed, in accordance with the legislation of Ukraine (Article 11).

By Decree of the President of Ukraine on 24 February 2022, in accordance with Law No. 389, martial law was introduced in Ukraine. The mentioned law prohibits the holding of strikes under martial law.

Spheres in which strikes are prohibited.

Law No. 137 prohibits the holding of strikes in cases where the cessation of work by employees poses a threat to national security, human life and health, the environment, or hinders the prevention of natural disasters, accidents, catastrophes, epidemics and epizootics, or the elimination of their consequences.

Strikes are prohibited for employees (except technical and maintenance personnel) of the prosecution authorities, courts, the Armed Forces of Ukraine, and bodies of state power, security, and public order.

In the public sphere, strikes are prohibited for:

Civil servants⁶⁵,

⁶⁵ On Civil Service – Law of Ukraine dated 10 December 2015, No. 889-VIII, Part 5 of Article 10

Officials of local self-government⁶⁶,
 Police officers⁶⁷,
 Judges, employees of Court Security Service⁶⁸,
 prosecutors⁶⁹,
 military personnel and reservists during the performance of duties in the military reserve⁷⁰,
 employees of the Armed Forces of Ukraine⁷¹,
 military personnel of the National Guard of Ukraine⁷²,
 persons of the rank-and-file and command staff of the civil protection service,
 employees of professional emergency rescue services⁷³,
 personnel of nuclear installations and facilities intended for handling radioactive waste⁷⁴.

Sectors in which there are restrictions on the right to strike:

electronic communications services – according to Law No. 137, participation in strikes is prohibited for personnel of providers of electronic communications services if such actions result in the suspension of the functioning of electronic communications networks or the provision of electronic communications services, which creates obstacles to ensuring national security, public health, and human rights and freedoms. According to the Law of Ukraine “On the Electricity Market”, strikes at electricity enterprises are prohibited if they could lead to the disruption of the stability of Ukraine’s unified energy system⁷⁵;

mining industry – persons working in particularly hazardous underground conditions are prohibited from holding strikes or hunger strikes in underground workings⁷⁶.

transport – strikes at transport enterprises are conducted in accordance with Law No. 137⁷⁷.

URL: <https://zakon.rada.gov.ua/laws/show/889-19#Text>

⁶⁶ On Service in Local Self-Government Bodies – Law of Ukraine dated 7 June 2001, No. 2493-III, Part 3 of Article 12 URL: <https://zakon.rada.gov.ua/laws/show/2493-14#Text>

⁶⁷ On the National Police – Law of Ukraine dated 2 July 2015, No. 580-VIII, Part 5 of Article 61, Article 104 URL: <https://zakon.rada.gov.ua/laws/show/580-19#Text>

⁶⁸ On the Judiciary and the Status of Judges – Law of Ukraine dated 2 June 2016, No. 1402-VIII URL: <https://zakon.rada.gov.ua/laws/show/1402-19#Text>

⁶⁹ On the Prosecutor’s Office – Law of Ukraine dated 14 October 2014, No. 1697-VII, Part 3 of Article 18 URL: <https://zakon.rada.gov.ua/laws/show/1697-18#Text>

⁷⁰ On the Armed Forces of Ukraine – Law of Ukraine dated 6 December 1991, No. 1934-XII, Part 3 and Part 7 of Article 17 URL: <https://zakon.rada.gov.ua/laws/show/1934-12#Text>

⁷¹ ibis: Part 7 Article 17

⁷² On the National Guard of Ukraine – Law of Ukraine dated 13 March 2014, No. 876-VII, Part 3 of Article 11 URL: <https://zakon.rada.gov.ua/laws/show/876-18#Text>

⁷³ Mining Law of Ukraine – Law of Ukraine dated 6 October 1999, No. 1127-XIV, Part 4 of Article 29 URL: <https://zakon.rada.gov.ua/laws/show/1127-14#Text>

⁷⁴ On the Use of Nuclear Energy and Radiation Safety – Law of Ukraine dated 8 February 1995, No. 39/95-VR, Part 3 of Article 35 URL: <https://zakon.rada.gov.ua/laws/show/39/95-%D0%B2%D1%80#Text>

⁷⁵ On the Electricity Market – Law of Ukraine dated 13 April 2017, No. 2019-VIII URL: <https://zakon.rada.gov.ua/laws/show/2019-19#Text>

⁷⁶ Mining Law of Ukraine – Law of Ukraine dated 6 October 1999, No. 1127-XIV, Part 3 of Article 42 URL: <https://zakon.rada.gov.ua/laws/show/1127-14#Text>

⁷⁷ On Transport – Law of Ukraine dated 10 November 1994, No. 232/94-BP, Article 18 URL: <https://zakon.rada.gov.ua/laws/show/232/94-%D0%B2%D1%80#Text>

Sectors for which there is a requirement for a minimum level of services to be provided during a strike:

Currently, the applicable legislation does not contain requirements for a minimum level of services to be provided during a strike.

The provisions on the procedure for conducting a strike as a last resort in resolving a collective labor dispute (conflict), and on conciliation procedures during a strike, as approved by the order of the National Mediation and Conciliation Service (NMCS), stipulate that the decision to declare a strike must include proposals regarding the minimum necessary work (services) to be performed at the enterprise, institution, or organization during the strike⁷⁸.

b) Please indicate whether it is possible to prohibit a strike by seeking injunctive or other relief from the courts or other competent body (administrative body or arbitration body). If affirmative, please provide information on the scope and number of decisions in the last 12 months.

A strike, according to Law No. 137, may be declared unlawful by a court decision upon the application of the employer or their authorized representative, an employers' organization, or an association of employers' organizations.

The case concerning such an application must be considered by the court, including the time for case preparation, no later than within seven days. A court decision declaring a strike unlawful obliges the participants of the strike to decide on the termination or cancellation of the declared strike, and employees to return to work no later than the day following the delivery of a copy of the court decision to the body (person) leading the strike.

In the past 12 months, there have been no court decisions declaring strikes unlawful or banning their conduct.

Article 20 – Right to equal opportunities between women and men

a) Please provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical). Please provide information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.

b) Please provide information on: measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors; the implementation of those measures; progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public

⁷⁸ Regulations on the Procedure for Conducting a Strike as an Extreme Measure and Conciliation Procedures During a Strike – Order of the National Mediation and Reconciliation Service dated 18 November 2008, No. 131, Clause 2.5 URL: <https://zakon.rada.gov.ua/rada/show/v0131299-08#Text>

and private sectors.

c) Please provide statistical data on the proportion of women on management boards of the largest publicly listed companies, and on management positions in public institutions.

Despite the challenges and massive destructive consequences of the military aggression of the Russian Federation, Ukraine remains consistent in its efforts to develop gender equality policy, and the issue of ensuring equal rights and opportunities for women and men is mainstreamed in state policy, as evidenced by a number of legislative changes and measures aimed at conducting comprehensive assessments of gender equality in Ukraine and promoting its achievement.

Among the main legislative changes, the following can be highlighted:

in order to reduce the actual inequality of women and men in all spheres of society and to ensure the implementation of international and European equality standards, the Government of Ukraine approved the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men until 2030⁷⁹. According to the Resolution of the Cabinet of Ministers of Ukraine dated 2 May 2025 No. 439-r, certain strategic objectives of this State Strategy were updated and the Operational Action Plan for its implementation for the new period 2025–2027 was approved;

the Sustainable Development Goals (SDGs) for the period up to 2030 and their achievement indicators were approved, along with target values and other indicator-related data, which serve as benchmarks for the activities of state authorities⁸⁰;

the National Strategy for Overcoming the Gender Pay Gap until 2030 was approved along with the Operational Action Plan for its implementation for 2023–2025;

the Action Plan for the Implementation of the Gender Equality Communication Concept was approved, which aims to promote the elimination of gender role stereotypes among various audiences and to foster intolerance of all forms of discrimination⁸¹;

in 2023, Law No. 2849 came into force, prohibiting the dissemination in the media and on video-sharing platforms within Ukraine of expressions that incite hatred, hostility, or cruelty, or incite discrimination or oppression against individuals or groups on various grounds, including gender. The National Council of Television and Radio Broadcasting of Ukraine was granted the authority to impose sanctions for such violations;

⁷⁹ On Approval of the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men until 2030 and the Operational Action Plan for 2022–2024 – Cabinet of Ministers Order dated 12 August 2022, No. 752-r URL: <https://zakon.rada.gov.ua/laws/show/752-2022-%D1%80#n15>

⁸⁰ Certain Issues Regarding Achievement of the Sustainable Development Goals in Ukraine – Cabinet of Ministers Order dated 29 November 2024, No. 1190-r URL: <https://zakon.rada.gov.ua/laws/show/1190-2024-%D1%80#Text>

⁸¹ On Approval of the Action Plan for Implementing the Gender Equality Communication Strategy – Cabinet of Ministers Order dated 27 January 2023, No. 79-r URL: <https://zakon.rada.gov.ua/laws/show/79-2023-%D1%80#Text>

the Strategy for Gender Equality in Education until 2030 was approved, along with the Operational Action Plan for its implementation for the new period 2025–2027⁸²;

a draft Law “On Amendments to the Disciplinary Statute of the Armed Forces of Ukraine, the Statute of Internal Service of the Armed Forces of Ukraine regarding improvement of mechanisms for ensuring military discipline, prevention and combating discrimination and sexual harassment” was developed and has currently been adopted in the first reading by the Parliament of Ukraine⁸³;

development is ongoing for the National Action Plan for the implementation of UN Security Council Resolution 1325 “Women, Peace, Security” for the period 2026–2030;

methodological recommendations on the implementation and application of a gender-oriented approach in the budget process were approved⁸⁴.

On 16 January 2025, Law No. 4225⁸⁵, was adopted, aimed, among other things, at standardizing the application of a gender-oriented approach in the budget process by requiring principal budget holders and other participants in the budget process to take gender aspects into account when planning, executing, and reporting on budget programs (Articles 2, 7, 20).

On the path to Ukraine’s integration into the EU, it is particularly important to consider the socio-economic changes caused by martial law.

According to the State Employment Service of Ukraine, the number of unemployed persons registered with the State Employment Service (disaggregated by gender) is as follows:

Period	Total, persons	Of which			
		women	as % of col. 1	men	as % of col. 1
A	01	02	03,	04	05
2021	1191008	670283	56,3	520725	43,7
2022	867636	526972	60,7	340664	39,3
2023	483245	347972	72,0	135273	28,0
2024	388449	299375	77,1	89074	22,9
January-April 2025	185026	146889	79,4	38137	20,6

⁸² On Approval of the Strategy for Gender Equality in Education to 2030 and the Operational Action Plan for 2022–2024 – Cabinet of Ministers Order dated 20 December 2022, No. 1163-r URL: <https://zakon.rada.gov.ua/laws/show/1163-2022-%D1%80#Text>

⁸³ On Amendments to the Disciplinary and Internal Service Statutes of the Armed Forces of Ukraine to Improve Measures Against Discrimination and Sexual Harassment – Draft Law of Ukraine (Reg. No. 13037 dated 21 February 2025) URL: <https://itd.rada.gov.ua/BILLINFO/Bills/Card/55783>

⁸⁴ On Approval of Guidelines for Applying a Gender-Oriented Approach in the Budget Process – Ministry of Finance Order dated 2 January 2019, No. 1 URL: <https://zakon.rada.gov.ua/rada/show/v0001201-19#Text>

⁸⁵ On Amendments to the Budget Code of Ukraine to Update and Improve Certain Provisions – Law of Ukraine dated 16 January 2025, No. 4225-IX URL: <https://zakon.rada.gov.ua/laws/show/4225-20#Text>

Since the beginning of 2022, the number of people officially registering as unemployed has noticeably decreased. This reflects, on the one hand, the fact that many Ukrainians have joined the defense of the country, and on the other – structural changes in the labor market. The decrease in the number of registered unemployed men is due to their active participation in ensuring national security and defending the territorial integrity of Ukraine. At the same time, the share of women among registered unemployed persons is increasing, indicating a rise in gender vulnerability in the labor market. This is further confirmed by the ratio of the number of employed persons to the number of registered unemployed.

Number of employed persons

Period	Total, persons	Of which			
		women	% of col. 1	чоловіки	% of col. 1
A	01	02	03,	04	05
2021	503846	251588	49,9	252258	50,1
2022	304645	150445	49,4	154200	50,6
2023	240445	157606	65,5	82839	34,5
2024	249620	168498	67,5	81122	32,5
January-April 2025	75059	52017	69,3	23042	30,7

Analysis of the presented data shows that although the share of women among all employed persons is increasing, the annual growth in the ratio of employed women to registered unemployed is 10%, while for men it is 20%. The highest number of employed persons was recorded in 2024. However, the share of employed men relative to the number of registered unemployed reached 91%, while for women it was 56%.

An important component in promoting women's opportunities in the labor market is the implementation of information and awareness-raising activities. The State Labor Service, in accordance with its assigned tasks, carries out information and awareness-raising activities on issues within its competence, including the prevention of discrimination in the workplace against HIV-positive individuals and those with AIDS. It also provides employers and employees with information and explanations regarding effective means of compliance with legislation and the prevention of potential violations.

Since 2023, the State Labor Service has conducted awareness-raising activities with employers regarding the inclusion of provisions in collective agreements and accords aimed at ensuring equal rights and opportunities for women and men in labor relations.

Measures	Quantitative Indicators		
	2023	2024	As of 01/05/2025
Number of informational visits to employers to inform them about legislative requirements	69 832	69 021	22 776

regarding equal rights and opportunities for women and men in labor relations			
Number of employers who included relevant provisions in collective agreements	88	168	36
Number of informational messages on equal rights and opportunities for women and men in labor relations in the media, social networks, and websites	4 955	4 652	1 578

Also, to inform the public about legislative requirements, the State Labor Service published 11,185 informational messages (4,955 in 2023, 4,652 in 2024, and 1,578 over the first four months of 2025) regarding equal rights and opportunities for women and men in labor relations via media, social networks, and websites.

According to the State Labor Service, state oversight (control) measures on issues of discrimination based on sex and unequal pay due to a person's sex were not carried out in the period from 2022 to 2025, since these issues are not included in the list of matters subject to control during martial law.

To ensure the possibility of conducting unscheduled state supervision (control) over compliance with labor legislation by legal entities—regardless of ownership form, activity type, or form of management—as well as by individuals using hired labor, including issues of undeclared labor relations, mobbing, and legality of employment termination, the Verkhovna Rada of Ukraine approved the Law of Ukraine “On Amendments to Article 16 of the Law of Ukraine ‘On the Organization of Labor Relations under Martial Law’” regarding inspections on cases of mobbing⁸⁶, which is currently awaiting signature by the President of Ukraine.

According to the State Statistics Service, the formation and dissemination of indicators regarding the number of registered legal entities broken down by the sex of the head, in terms of organizational-legal forms of business entities (formed according⁸⁷ to the Classification of Organizational and Legal Forms of Management), is carried out annually in accordance with the plan of state statistical observations and the Methodological Provisions of the state statistical observation “Register of Respondents of Statistical Observations.”⁸⁸

The calculation of indicators is carried out according to the Methodology for assigning the gender attribute to the heads of legal entities and individual entrepreneurs in the Statistical Register.⁸⁹

⁸⁶ On Amendments to Article 16 of the Law “On the Organization of Labor Relations Under Martial Law” Regarding Inspections on Mobbing – Draft Law of Ukraine (Reg. No. 11044 dated 28 February 2024) URL: <https://itd.rada.gov.ua/billInfo/Bills/Card/43767>

⁸⁷ On Approval of National Standards, Classifiers, and Deregulation of Technical Documentation – State Consumer Standard Committee Order dated 28 May 2004, No. 97 URL: <https://zakon.rada.gov.ua/rada/show/v0097609-04#Text> Also: https://www.ukrstat.gov.ua/klasf/nac_kls/op_dk002_2016.htm

⁸⁸ On Approval of Methodological Provisions for the Statistical Survey Register of Respondents – State Statistics Service Order dated 30 November 2021, No. 298 (as amended on 16 August 2024, No. 207) URL: https://www.ukrstat.gov.ua/norm_doc/2024/207/207.pdf

⁸⁹ On Approval of the Methodology for Determining the Main Type of Economic Activity in the Register of Statistical Units – State Statistics Service Order dated 3 June 2021, No. 105 (as amended on 26 December 2022, No. 373) URL: https://ukrstat.gov.ua/norm_doc/2021/105/105.pdf

The formation of indicators on the percentage of women's representation in management bodies, including in supervisory boards and executive bodies separately, of state unitary enterprises and companies where more than 50 percent of shares (stakes) are owned by the state, and in budgetary institutions, is not provided for by the observation plan, methodology, or methodological provisions.

According to the Deloitte Ukraine study in cooperation with the NGO Women on Boards Ukraine entitled “Women in Governance: Diversity, Inclusion, and New Horizons in Supervisory Boards”⁹⁰, most supervisory boards in Ukraine include women, although parity in representation has not yet been achieved. Thirty-one percent of seats on supervisory boards are held by women. Twenty-eight percent of supervisory boards have a woman in the role of chairperson. Gender parity in the mandatory committees of supervisory boards remains limited: nine percent of companies have no women in any committee, and eighteen percent of companies have no women as heads of committees.

According to the 2024 Gender Equality Index (based mainly on 2022 data), Ukraine scored an average of 71.0 points. Ukraine ranked twentieth among twenty-eight EU member states, with a score of 61.4.

According to the Gender Equality Index in Ukraine, the “Power” domain scored 38.7 points, compared to the EU average of 59.1. Among the Members of Parliament of Ukraine, 20.5 percent are women. Among members of local councils of all levels, 37.2 percent are women and 62.8 percent are men. Women constitute 34.8 percent of the management and supervisory board of the State Committee for Television and Radio Broadcasting of Ukraine. Within the senior leadership of the National Olympic Committee of Ukraine, women make up 18.3 percent. Women account for 21.3 percent of board members of the largest listed companies, members of supervisory boards, or boards of directors in Ukraine. Only 14.8 percent of the members of the National Bank of Ukraine's board are women. Only 17.2 percent of the members of boards of organizations that finance research are women.

The National Council of Ukraine for Television and Radio Broadcasting (hereinafter referred to as the media regulator), in accordance with the Law of Ukraine “On Media”⁹¹, is vested with powers to ensure gender equality in media and to prevent discrimination, including on the basis of sex, in this field.

In its Strategy for 2024–2026⁹² one of the strategic goals of the media regulator is to ensure gender balance in the media.

To achieve this goal, it is planned to analyze the current level of gender balance in the media space, as well as to carry out analytical work and conduct informational and educational activities aimed at raising awareness among media outlets about the importance of gender equality.

⁹⁰ Deloitte Ukraine & NGO Women on Boards Ukraine research – “Women in Governance: Diversity, Inclusion, and New Horizons in Supervisory Boards” URL: <https://www.deloitte.com/content/dam/assets-zone2/ua/uk/docs/about/2025/ukr-deloitte-wob-ua-women-in-governance.pdf>

⁹¹ On Media – Law of Ukraine dated 13 December 2022, No. 2849-IX URL: <https://zakon.rada.gov.ua/laws/show/2849-20#Text>

⁹² Strategy of the National Council on Television and Radio Broadcasting for 2024–2026 – Regulator Decision dated 23 November 2023, No. 1475 URL: <https://webportal.nrada.gov.ua/strategiya-diyalnosti-natsionalnoyi-rady-ukrayiny-z-pytan-telebachennya-i-radiomovlennya-na-2024-2026-roky/>

In fulfillment of these tasks, the media regulator developed a Gender Profile of Ukrainian Media⁹³.

The analysis covered 492 companies: 57 percent were print publications, 32 percent audiovisual media, and 11 percent online media.

According to the results of the gender balance analysis, the majority of media workers are women—52 percent.

Among top executives responsible for managing entire media outlets, women constitute 51 percent. At lower levels of media management, the proportion of women in professional roles increases: among heads of departments, women make up 64 percent.

According to Article 21-1 of Law No. 2866, media outlets may adopt codes of professional ethics and other corporate standards aimed at preventing gender-based violence, including all forms of violence against women, and fostering respect for the dignity of every person, regardless of gender.

The Commission on Journalistic Ethics, as a self-regulatory body for journalists and editorial offices in Ukraine, developed a model Gender Equality Policy in the media space⁹⁴, which is focused on achieving gender equality within editorial teams—equal opportunities for women and men, equality in leadership representation, equal pay for work of equal value, equal social guarantees, and professional development—and on applying gender-sensitive approaches during content creation: avoiding sexism, maintaining gender balance in the selection of experts and representation of their views, and preventing the entrenchment and promoting the elimination of gender stereotypes.

⁹³ Gender Profile of Ukrainian Media URL: https://wim.org.ua/wp-content/uploads/2025/03/HENDERNYY-PROFIL-UKRAYINSKYKH-MEDIA_2024.pdf

⁹⁴ Gender Equality Policy in Media Content, 2024 2024 рік. URL: <https://cje.org.ua/library/polityka-gendernoi-rivnosti-v-mediynomu-kontenti/>