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# "TRANSFORMATION" OF HIRED LABOR AS ONE OF THE CONDITIONS FOR REFORMING LABOR LEGISLATION OF UKRAINE: ECONOMIC AND LEGAL DIMENSION

## ABSTRACT

The purpose of the article is to study the theoretical and applied aspects and identify the problems of the "transformation" of hired labor, as one of the conditions for reforming the labor legislation of Ukraine, in the context of their economic and legal dimension. The labor relations that arise and function between an employee and an employer in Ukraine are regulated by the norms of labor law both of the Soviet period and from the time of the declaration of independence of Ukraine.

The article emphasizes that starting from the 1990s and until now, the national labor legislation has problems that require: 1) legislative coverage and consolidation of the social purpose of labor law in the sphere of regulation of labor relations between an employee and an employer and their practical implementation; 2) correct clarification of the content of the behavior of the subjects of labor relations based on prohibitions, orders and permits that regulate certain aspects of labor activity; 3) reforming labor legislation in order to direct and bring it into line with the Constitution of Ukraine and generally defined principles and norms of international labor law; 4) the unity of the legal policy of the state in the field of labor of certain categories of employees; 5) creation of an effective legal mechanism to regulate the sphere of contractual relations, both individual and collective, taking into account the new social relations between employees and employers on the basis of social dialogue; 6) creation of an appropriate legal framework that would ensure the economic interest of employers in creating safe working conditions for employees; 7) legislative regulation of gender equality of the rights of men and women in the field of work in order to ensure equal opportunities related to remuneration for work results and social protection of employees; 8) new in the content approaches of legal regulation of legal responsibility for violations of labor legislation precisely because the norms of labor law are transformed from general formalized provisions into specific legal rights and obligations of subjects of labor relations.

The article emphasizes that each person independently makes decisions about his own work and is personally responsible for his well-being. At the same time, labor legislation should be a high-quality and effective regulator of labor relations, which is the basis for meeting the material and social needs of the employee.

**Keywords:** labor legislation, responsibility, employee, employer, transformation, market economy, financial and legal relations

**JEL Classification:** J20, J22, J23, J31, J53

## INTRODUCTION

In order for Ukraine to move forward, there is an urgent need to rethink and modernize the fundamental principles on which the labor sphere exists, which will guarantee a real, consistent change, for a high-quality, conscious-conceptual existence and development of labor legislation.

In modern conditions in civilized countries, the combination of the factor of production, as a rule, is carried out by the voluntary hiring of an employee. At the same time, wages

are largely related not only to the cost of labor but also to the quantity and quality of work [1, p. 31] and the employee's attitude to his work.

Barry Schwartz, researching the legal aspects of hired labor, adheres to the opinion that work should give a person not only a decent financial basis but also spiritual comfort and the opportunity for self-realization. Without diminishing the importance of his opinion, let's pay attention to a report published in 2013 by the Gallup Organization, whose employees have been continuously determining the level of job satisfaction among employees around the world for almost two decades. In total, 25 million workers from 189 different countries were interviewed. The Gallup Organization concluded that only 13% of employees feel connected to their work. Most of the respondents, about 63%, do not feel such a connection. The rest of the workers actually hate the job [2, p. 13–14]. One of the reasons for this attitude to work and its results is the wrong approach when improving or reforming legislation in the field of labor.

The concept of labor means the process of a person's conscious purposeful activity, with the help of which he/she modifies the objects of nature and adapts them to meet needs [3, p. 318].

There is a division of hired labor into skilled, unskilled, mental and physical, and managerial. The essence of skilled labor is that it requires special training of an employee, the availability of the appropriate level of knowledge, skills and abilities that can be integrated to perform one or another type of work. Unskilled labor of an employee means a lack of special training, which in turn affects the amount of his salary. The mental and physical labor of an employee combines two interrelated aspects of activity aimed at performing a certain type of work.

## LITERATURE REVIEW

The problems of reforming Ukrainian labor legislation were and remain the object of research by both scientists and practitioners. Among them: V. S. Venediktov, O. I. Protsevsykyi, S. M. Prylypko, O. M. Yaroshenko, I. M. Pashchenko, I. O. Shashkova-Zhuravel, V. V. Yurovska, and M. I. Inshyn, Zh. D. Anpilohova and others.

The managerial labor of an employee consists in the performance of management functions, on the implementation of which the organization, provision and performance of tasks provided for by the terms of the employment contract between the employee and the employer depend. It is worth noting that the development of modern production, the introduction of new technologies significantly limits the use of unskilled labor of an employee.

The interaction of a person with the elements of labor, according to I.M. Pashchenko foresees the presence of the subject of labor, tools of labor, technologies, a product of labor, and the surrounding environment. Employment conditions, qualifications and working hours of the employee, as well as salary and profit, remain an important component for a person as a labor subject. Compliance and implementation of these requirements become possible if there is a labor law relationship between the employee and the employer [4, p.12].

Analyzing the problems of ensuring effective employment, I. O. Shashkova-Zhuravel draws attention to the concept of "decent labor", which was formed within the International Labor Organization and is intended to reflect the interests of governments, employees and employers in order to implement strategic goals in the field of labor. The essence of decent labor lies in providing sufficient opportunity to obtain work, remuneration (in money or in kind; safety and healthy working conditions; high-quality social security and reliability of income; creation of conditions for preserving human dignity at work, etc.) [5, p. 47, 48].

V. V. Yurovska understands labor legal relations as a specific type of legal relations that arise between a person and an employer in connection with the provision of a certain type of work, they are necessarily voluntary in nature and are regulated by the norms of labor law [6, p. 62–72].

Transformation (lat. *transformatio*) is one of the methods of legally reforming labor law norms with the aim of their compliance with the changes that occur between the subjects of labor relations in the field of work [26, p. 21].

Hired labor was and remains the main feature of the life of the society and the employee, which needs to be regulated by the norms of labor law. In general, labor relations have legal gaps and contradictions related to the conclusion of labor contracts, which in most cases the employer tries to use in his interests, taking into account the dependence of the employee on him. Labor activity has a close relationship with other spheres of people's lives in the country, but the coherence between them is low! The labor relations between the employee and the employer should be transformed in such a way that the working population can earn, taking into account their own level of qualification, the proper performance of labor duties, which will contribute to leading a dignified life, and not living according to the principle of "paycheck to paycheck".

Labor relations in Ukraine do not differ in stability from year to year, in addition, they went into a "steep pique" due to the aggression of Russia, and Covid-19, as well as inconsistent, thoughtless, "stubborn" attempts to modernize national legal acts, according to the best world standards, but actually copying backward post-Soviet Russian legislation.

The analysis of theoretical studies and the legal practice of applying legislation in the field of labor shows that the driving force for its changes in the interests of subjects of labor relations is a responsible attitude to solving this problem through the efforts of the legislator and society as a whole. Today, there are enough special scientific studies on the practical modernization of labor relations as a mechanism of state policy. There were many attempts to successfully define the conceptual and categorical apparatus of the science of labor law, ways of methodological solutions, both theoretical and practical problems. Instead, the need for implementation and successful practical application of labor law norms remains relevant, especially in the conditions of a market economy.

The real situation in relation to part of the scientific works regarding assistance in the implementation of fundamental changes in the field of national labor law is characterized by loyalty to the existing degraded, outdated practice of the approach to conducting labor relations, a fragmented consideration of the research of the subject, unwillingness to move what is available, in order to achieve new positive results. We draw your attention to the fact that the arguments given in part of the scientific works are incomplete, due to the fact that there is no fixation of those who will harm the process – "passive business people and corrupt groups of influential bureaucrats who lack a high level of proper internal moral and legal imperative that reduces the effectiveness of applied efforts in the field of labor law.

Progressive countries of the world are built by entrepreneurs (businessmen) due to the fact that they are generators and executors of innovative ideas, think of new legal ways of income, are job creators, etc. Politicians who group interests (national, private, etc.) in the sphere of labor should become an integral part of the step-by-step democratic development of Ukraine. But, without numerous employees who will implement everything planned by the aforementioned groups of people, from the latest technologies to "modern social welfare"... the restructuring of the labor legislation will not be fully successful. First of all, this concerns the labor status of an employee.

In the Law of Ukraine dated 03.03.1998 No. 137/98-VR "On the procedure for resolving collective labor disputes (conflicts)", an employee is defined as an individual who works under an employment contract at an enterprise, institution and organization, in their associations or individuals who use hired labor [7].

Today, the position and importance of employees in the process of bringing the state out of the state of "coma" and its urgent "pumping" should be determined, as well as the positive motivation that encourages them to actively enter it (the process). Many scientists and members of the public point out that hired employees, who are completely different groups, have a labor law status whose content is unsatisfactory. Although employees are the majority in our country, they are actually marginalized from the processes of social life.

## AIMS AND OBJECTIVES

The purpose of the article is to study the theoretical and applied aspects and identify the problems of the "transformation" of hired labor, as one of the conditions for reforming the labor legislation of Ukraine, in the context of their economic and legal dimension. Achieving the set goal involves solving several tasks, in particular, it is necessary to identify problematic aspects of the "transformation" of hired labor, as one of the conditions for reforming Ukrainian labor legislation; analyze the state and dynamics of changes in the level of poverty in Ukraine, the size of the average salary per full-time employee in Ukraine and compare it with similar indicators of individual European countries, the size of social standards, the level of employment, unemployment and the workforce in Ukraine, as well as the Global Index gender gap; determine the strategic priorities of the "transformation" of hired labor, as one of the conditions for reforming the labor legislation of Ukraine.

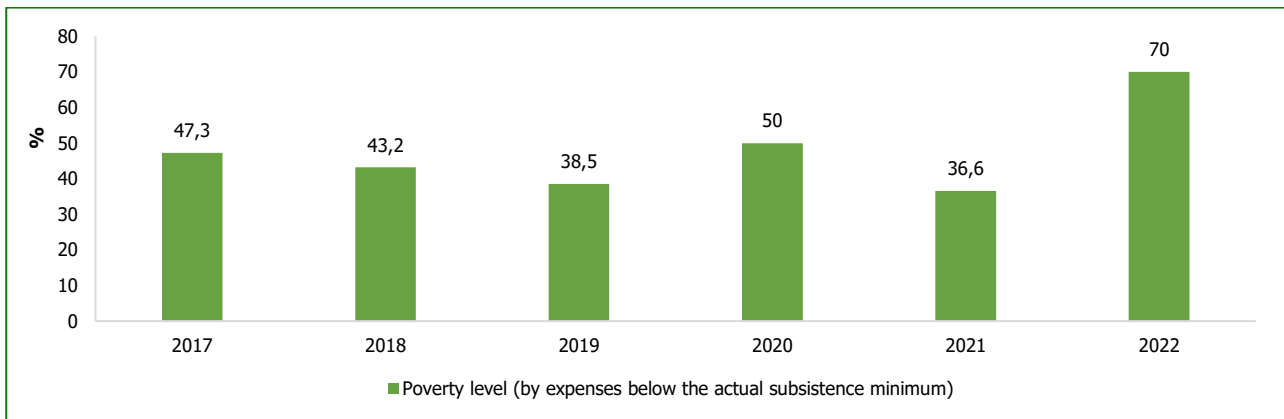
## METHODS

The methodological basis of the study is based on the use of general scientific and special methods of economic and legal analysis and scientific knowledge, namely: determining the essence of the scientific category "transformation" of hired labor, the method of system analysis, comparative analysis, synthesis and scientific abstraction was used; empirical assessments of the state and trends of indicators characterizing the parameters of hired labor, carried out using statistical analysis and comparison; with the help of a functional-systemic approach, the main problems of the "transformation" of hired labor were identified as one of the conditions for reforming labor legislation in Ukraine; the method of generalization and systematization was used to formulate the conclusions and results of the conducted research.

## RESULTS

Attention is drawn to the fact that the labor law status of an employee in the field of labor under the current labor legislation implies legal, economic and social dependence as well as inequality. At the same time, the existence of this does not indicate the presence of "antagonisms" that negatively affect the labor activity of an employee, whose legal status involves dependence and subordination to the employer based on the concluded employment contract. First of all, this concerns the fact of economic inequality, which is reflected in differences in incomes, living standards, the existence of rich and poor strata of the working population, which is connected with the features that characterize both the work itself and the employee: age, education, ability to work, to hold a position, to possess labor legal personality, is a party to an employment contract with a certain employer, fulfills the obligations stipulated in the labor contract, is subject to the employer's internal labor regulations [8, p. 66; 9, p. 485].

The conducted studies of the current state of population poverty indicators in Ukraine in 2017–2022 (Figure 1) testify to the crisis situation in the country and prove the existence of significant problems of social inequality and the growth of the share of the poor population. The obtained results show that, in fact, half of the country's population during the analyzed period is below the poverty line, the strengthening of which is observed during the period of socio-economic and socio-political crises. In particular, in 2020, under the influence of growing instability caused by the challenges of the COVID-19 pandemic, the poverty level reached 50%, and in 2022, under the influence of a full-scale invasion and as a result of Russia's armed aggression against Ukraine, the poverty level reached an unprecedented level of 70%.



**Figure 1. Dynamics of the poverty level in Ukraine in 2017–2022, %.** (Source: calculated according to: [10])

Under such circumstances, the problem of the rapid spread of poverty becomes particularly acute and requires the development of a complex of effective countermeasures. It is obvious that more than 30 years of a lack of management towards the development of the state, as well as its "eating" more than we can earn, led to impoverishment and the acquisition of the status of "dependents" by workers. The above shines a red light on the catastrophically low level of labor culture in our country.

Discussions are invariably provoked by the topic of labor culture, which was destroyed in Ukraine either by Soviet repression or failed post-Soviet reforms. Obviously, historical perturbations have left their mark on the attitude of Ukrainians to work, but this factor should not be overestimated either [11].

Attempts of employees to defend their violated rights are ignored or often quite brutally repressed by law enforcement agencies and other government agencies that squarely side with the employers.

Employees, not having the opportunity to familiarize themselves with legal and economic procedural processes, in the field of regulating labor relations in most cases adapt to the existing realities.

There are different ways for employees to adapt to such approaches.

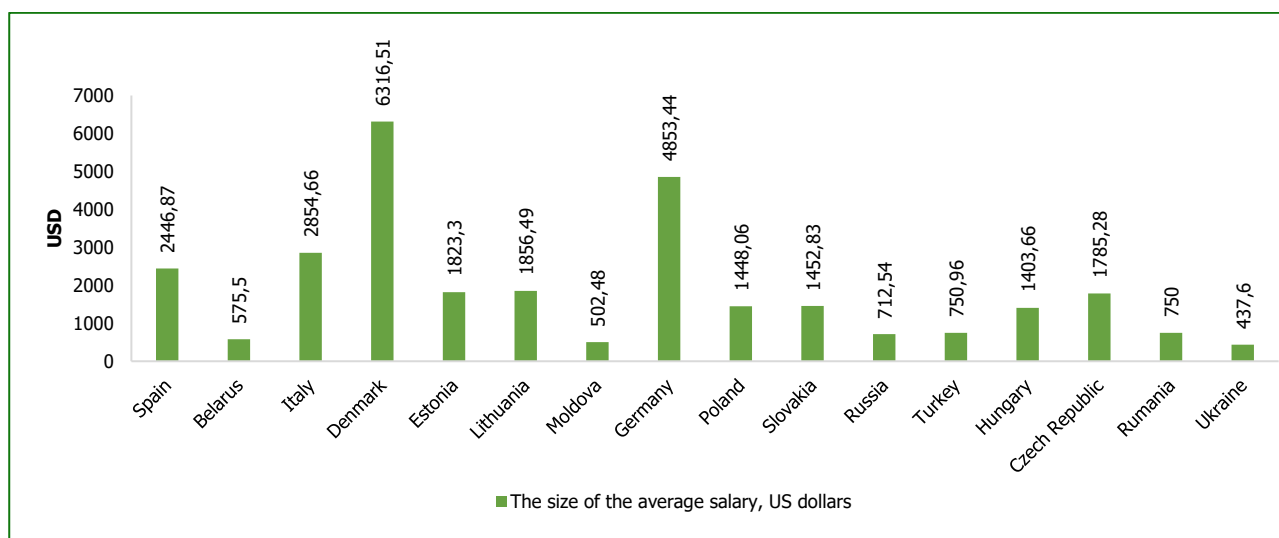
It is worth paying attention to the classic way of increasing earnings, the essence of which is to give up all for the sake of earning by working hard (working overtime, on weekends and holidays). Of course, earnings will increase somewhat, but this approach leads to negative consequences: resocialization of the employee as a social component, undermining of both physical and mental health, substantial expenditure of family funds to restore the employee's health. A catastrophic situation with a low level of wages, which is rarely enough to live, not to exist... forces employees to look for part-time work, which will simply take away time and energy for a full life.

Progressive world states have moved away from the principle of the greater performance of work – for the desire for a better life, especially, this applies to the budgetary sphere.

Employers have become accustomed to catching the hype that employees agree to overtime work for higher income, curbing the urge of employees to increase their labor contribution to the minimum mark. For example, it is possible to cite the activities of the teaching staff of educational institutions. Thus, people who do not want to work overtime and/or perform additional work without its proper payment, cause hatred in the management, stimulating the latter to harass such employees and introduce them to the group of "lazy".

In order to improve the situation with the wages of employees, it is necessary to move away from the practice of tying the changes that occur during changes in the productivity of the work performed to the calculation of wages in monetary form. Therefore, the employer should proceed from what part of his expenses he spends on labor wages, and not how much the employee consumes, taking into account the producer's price index.

If we conduct a study of the dynamics of the average salary per 1 full-time employee in Ukraine and compare it with the average salary in some European countries in 2021, then there is such a trend that the lowest salary among the countries of the analyzed group is precisely in Ukraine (Figure 2) 437.6 USD. This situation shows that the population of Ukraine is least protected from the influence of destabilizing factors, and its purchasing power is extremely low.

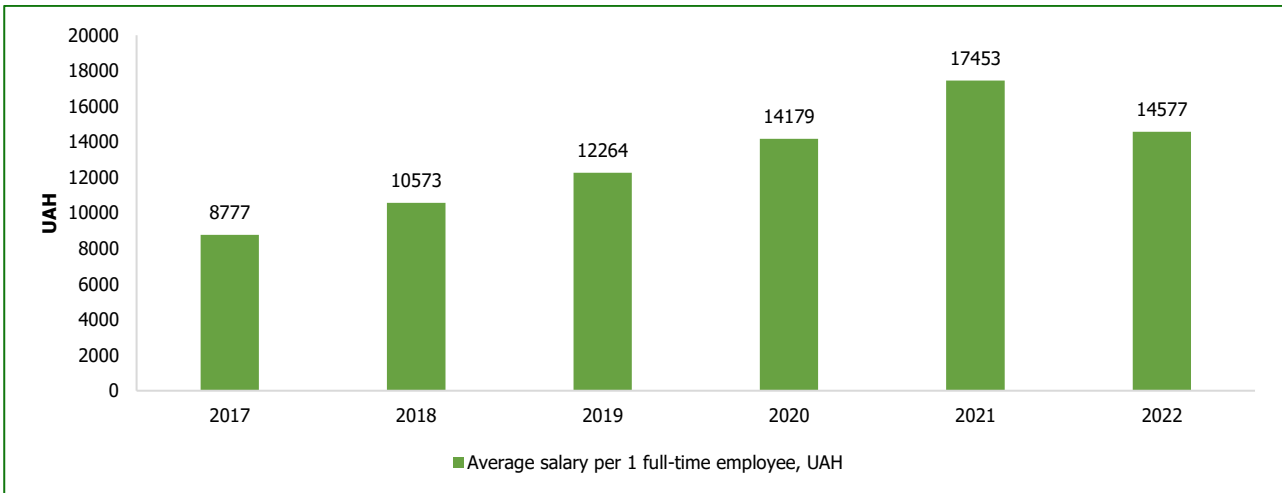


**Figure 2. Dynamics of the average salary per 1 full-time employee in Ukraine and in some European countries in 2021, USD.** (Source: calculated according to: [12])

Therefore, the desire of Ukrainians to realize their own labor opportunities and potential outside their country is justified, which determines the growth of indicators of labor migration to countries with higher wages. Undoubtedly, countries such as Denmark, Germany, Italy and Spain are attractive from the point of view of employment and decent earnings. At the same time, it is worth noting that the work of Ukrainian labor migrants is quite popular and in demand in Poland and the Czech Republic, where a fairly significant share of the population from Ukraine goes.

It should also be noted that as an economic category, the producer price index (hereinafter referred to as the PPI) of industrial products shows price changes over time in the field of industrial production. PPI allows us to monitor and determine trends in price changes both in industries, sub-industry sectors and in the production of specific products. It is used in the creation of an information base for forecasting and management of price formation processes in the industry, conversion of indicators of the system of national accounts into constant prices and provides the possibility of international comparisons [13].

Thus, a study of the average salary per 1 full-time employee in Ukraine and in some European countries in 2021 based on purchasing power parity allows us to conclude that there are significant problems with the material support of the population in Ukraine, which confirm a significant level of social inequality in society and testify to the deepening of poverty processes. However, if we evaluate the nominal value of the average wage per 1 full-time employee in Ukraine in 2017–2022 (Figure 3), we observe growing trends and a gradual increase in its size from UAH 8,777 in 2017 to UAH 17,453 in 2021 (the rate of change is 98.85%).



**Figure 3. Dynamics of the average salary per 1 full-time employee in Ukraine in 2017–2022, UAH.** (Source: calculated according to: [14])

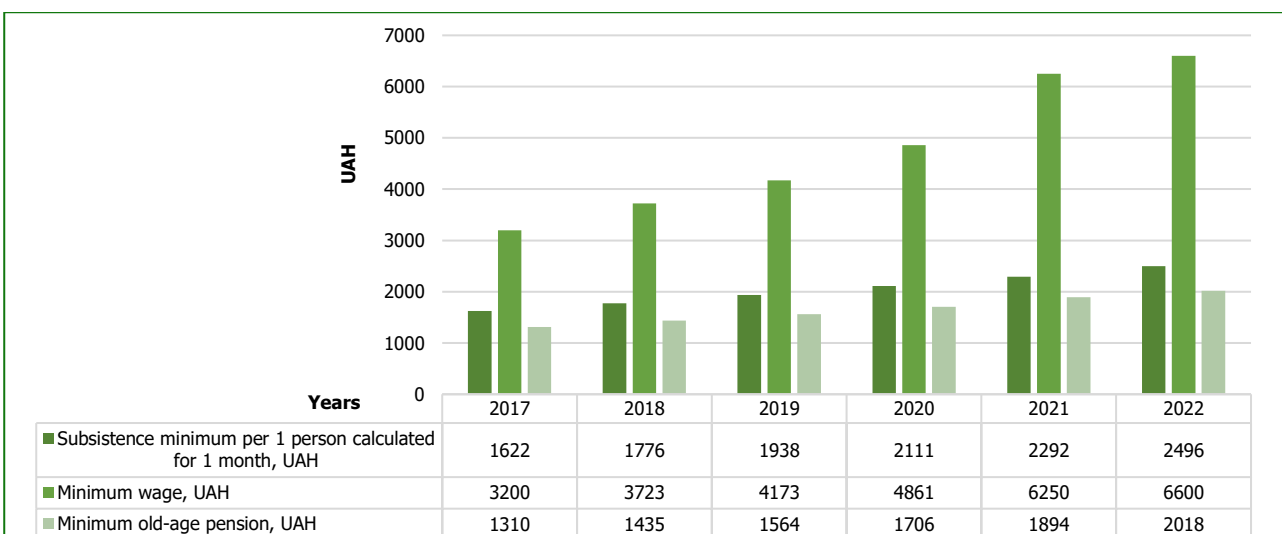
The problems of Ukraine's military resistance to the armed aggression of the Russian Federation in 2022 significantly destabilized the development of Ukraine and caused the reformation of the existing economic system. The population faced dangerous challenges, dangers and threats of a military nature, as a result of which a significant part of it was forcibly relocated to safe territories, a fairly significant number left the country and do not participate in the economic system. In addition, as a result of the annexation of large territories of Ukraine, a large number of business entities ceased their activities and are unable to pay wages. As a result, in 2022 the indicators of the nominal salary decreased by 16.48% compared to 2021 and amounted to UAH 14,577.

As for the methods of receiving wages, it should be said that the gradual postponement of a part of it for solving various social problems by the employee (pension, children's education, etc.) is an ineffective way, due to the fact that most of it is still spent on communal services, food and other issues that need to be addressed now.

Thus, the military aggression of the Russian Federation starting in 2014 caused a "depletion" of hired labor in comparison with the pre-war period and especially aggravated the situation in the conditions of 2022. However, the pre-war period, as well as the "prosperous" zero and early decades of the 21st century, testify to leveling of hired labor; this very fact should not stand out to the public.

Let's pay attention to the fact that, in addition to the low level of wages of employees, there is a problem with their proper social security, that is, the availability of both state and private security guarantees, as well as own savings and pensions.

The conducted studies of the dimensions of social standards in Ukraine and their changes during 2017–2022 (Figure 4) also indicate a slight gradual increase in both the subsistence minimum and the minimum wage and minimum pension.



**Figure 4. Dynamics of social standards in Ukraine in 2017–2022, UAH.** (Source: calculated according to [15; 16; 17; 18; 19; 20])

However, in relation to social payments and security, similar trends are observed as in relation to the average salary, namely, their purchasing power is too low, which does not allow the population to fully satisfy even the most basic needs. Under such circumstances, socially vulnerable sections of the population are forced to constantly search for additional sources of income and suffer from the unkindness of employers, because employees of retirement age or persons with disabilities are not always able to perform tasks efficiently and quickly.

Also, getting the status of "very valuable specialist" is not a "winning ticket" for receiving an appropriate level of salary. As a rule, this group includes "loyal" and not highly productive employees who do not ask "extra" questions about the appropriate remuneration for the work performed. As a rule, out of ignorance, a young specialist tries to become a "very valuable employee". Moreover, the involvement of young people in labor activities is due to the presence of significant social problems, which require additional consideration and increased attention from the state authorities.

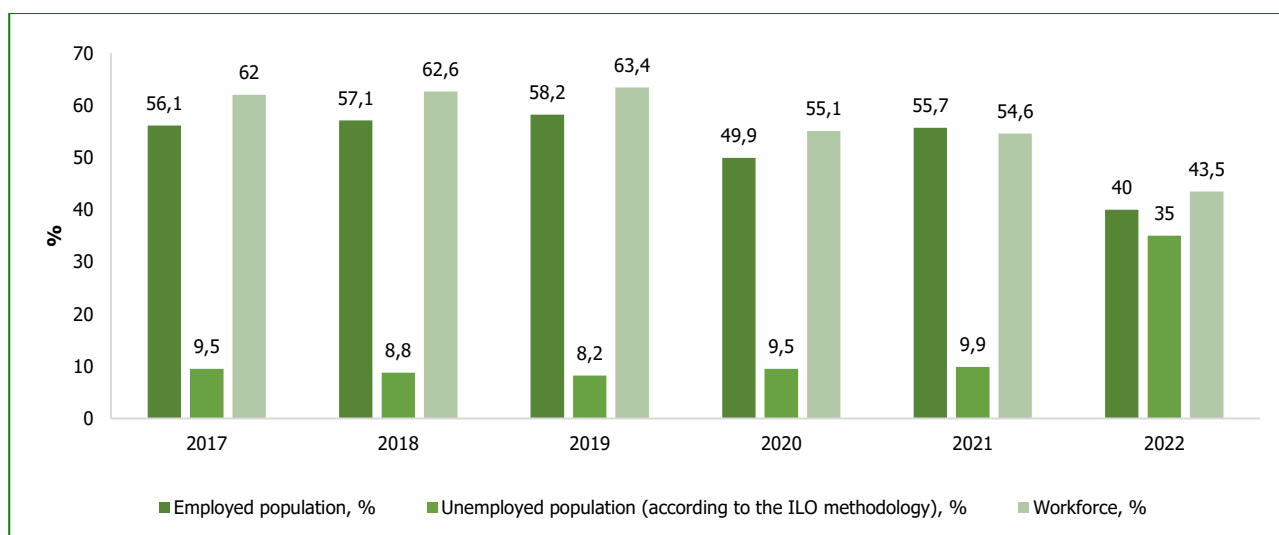
The legislator defines youth as young people – persons aged 14 to 35 who are citizens of Ukraine, foreigners and persons without citizenship who are in Ukraine on legal grounds [21].

Young people differ quite favorably from other categories of the population in terms of their capacity for creative activity, high work capacity and mobility, receptiveness to innovations, good health, and a long period of future work capacity [22, p. 206] who, despite their age, put their full effort into their work, bringing results and profit, but, in return, receive a low material reward with age-related motivation. This reduces employee feedback and provokes demotivation and professional burnout.

Therefore, the amount of wages paid should be differentiated due to the labor law interests of both the employer and the employee, taking into account his proper social security.

In addition, the country's labor resources are involved in industries that have not been properly modernized for a long time and are oriented toward the export of raw materials and low-tech products. Under such conditions, even the most devoted work cannot be converted into high profits, and therefore, is doomed to be low-productive [11]. To a certain extent, it depends on the quality training of labor resources.

Under labor resources, Zh. D. Anpilohova sums up the part of the country's population that has the ability to do socially useful work in various branches of the economy [23]. Very often, empirical assessments of labor resources are carried out on the basis of an analysis of the indicators of the country's labor market and a study of trends in changes in labor force indicators. In Figure 5 we show the dynamics of the level of employment, unemployment and labor force in Ukraine in 2017–2022.

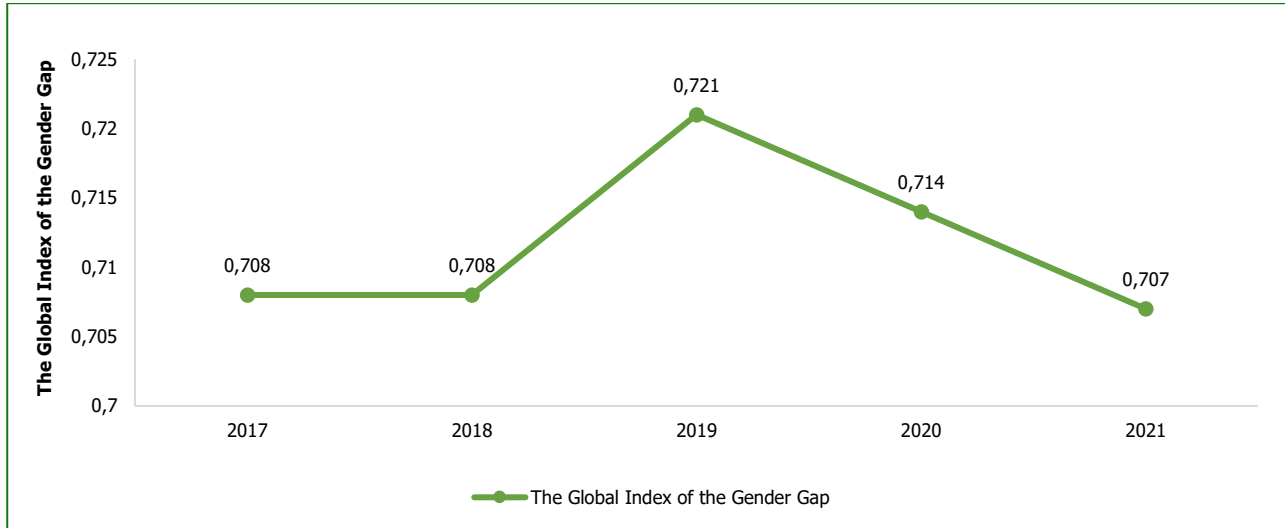


**Figure 5. Dynamics of the level of employment, unemployment and labor force in Ukraine in 2017–2022, %.** (Source: calculated according to [24; 25])

As evidenced by the results of the conducted research, during 2017–2022, the indicator of the employment level of the population varies within the range of 49.9–58.2%, and in 2022 it decreased to 40%, which is the lowest value for the entire analyzed period. At the same time, the unemployment rate continues to grow against the background of a decrease in population employment and as of 2021 has reached a mark of 9.9%. In 2022, military actions and the deepening of the

socioeconomic crisis caused the unemployment rate to rise to 35%. Similar trends are observed with regard to the volume of the labor force in Ukraine, which sharply decreased in the conditions of 2022.

Moreover, the military actions on the territory of Ukraine and all the accompanying events in the economy and society of the country exacerbated the rather serious problem of ensuring gender equality in the structure of the workforce, because studies of the dynamics of the Global Index of the Gender Gap in Ukraine in 2017–2022 (Figure 6) prove its sufficiently low values and the need for legislative regulation of gender equality of the rights of men and women in the field of work in order to ensure equal opportunities related to remuneration for work results and social protection of employees.



**Figure 6. Dynamics of changes in the Global Index of the Gender Gap in Ukraine in 2017–2022.** (Source: calculated according to [27; 28; 29; 30; 31])

It is obvious that the problems of the "transformation" of hired labor, as one of the conditions for reforming the labor legislation of Ukraine, exist and are extremely important, and are also undergoing significant deepening due to the aggravation of the impact of destabilizing modern factors on them. The outlined trends testify to the need to find effective methods of exiting the crisis situation, which must be carried out taking into account both legal and economic factors of the development of the state and society.

## DISCUSSION

The study of the theoretical and applied aspects of the "transformation" of hired labor, as one of the conditions for reforming the labor legislation of Ukraine, in the context of their economic and legal dimension, allowed and revealed significant problems of legislative regulation of labor relations in Ukraine, both of a legal and economic nature. In particular, it is necessary to emphasize that the indicators of population poverty have significantly deepened in Ukraine, the level of which in the conditions of 2022 has reached 70%. A significant problem at the current stage is the too-low average wages per full-time employee, which are the lowest in Ukraine compared to European countries. The study of the dynamics of the dimensions of social standards in Ukraine in 2017–2022 testifies to their minimal value and the inability of socially vulnerable sections of the population to provide the most necessary living conditions throughout the analyzed period. In addition, it was established that ensuring the employment of the population is also a significant problem, as growing trends in unemployment and a decrease in labor force indicators in Ukraine have been identified. The outlined trends and identified problems require an immediate solution because the current state of functioning of the labor market in Ukraine is characterized by the deepening of the influence of destabilizing factors, the containment and minimization of which can be achieved only in the presence of an effective system of regulatory and legislative regulation.

## CONCLUSIONS

In the future post-war life, fundamental progressive changes of the state without renewal and rationalization of both labor legislation and labor relations will not take place. The fundamental change should be such that the employee receives a



proper reward not for the personal preferences of the employer or loyalty to the latter, but for his own efforts and conscientiousness in the performance of work duties.

In addition, it is necessary to determine the directions of modernization of both the labor relations themselves and the socio-economic directions of the country's development, first of all, applying significant intellectual efforts to completely rethink the post-Soviet experience of building labor relations on the basis of complex "traditions", which includes the authoritarian approach and irresponsibility of influential groups of people.

The currently effective Law of Ukraine dated April 21, 2022 No. 2215-IX "On the de-Sovietization of the Legislation of Ukraine" is the first and real act of Ukraine regarding the modernization of labor legislation. Thus, this Law adopted for the purpose of de-Sovietization and systematization of the legislation of Ukraine [31], partially changed and also supplemented the Code of Labor Laws of Ukraine in terms of individual and collective labor contracts, youth labor and others.

In addition, it is necessary to strengthen the analysis of the practice of labor relations that developed during the period of independence, to check it for democracy, to fix and tame negative elements, and to make constructive comments. And the most important measures should include the depoliticization of labor law as a science, the strengthening of the presentation of the real situation to the population and the disclosure of technological aspects.

It can be stated that in order to modernize labor relations, it is necessary to deeply reveal their problems of objective and subjective content, to indicate adequate ways of solving them, which will be the basis for radical changes in labor relations and the population of the country as a whole.

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## **«ТРАНСФОРМАЦІЯ» НАЙМАНОЇ ПРАЦІ, ЯК ОДНА З УМОВ РЕФОРМУВАННЯ ЗАКОНОДАВСТВА УКРАЇНИ ПРО ПРАЦЮ: ЕКОНОМІКО-ПРАВОВИЙ ВИМІР**

Метою статті є дослідження теоретико-прикладних аспектів та виявлення проблем «трансформації» найманої праці як однієї з умов реформування законодавства України про працю у контексті їхнього економіко-правового виміру. Трудові відносини, що виникають і функціонують між найманим працівником та роботодавцем в Україні, урегульовані нормами трудового права й радянського періоду, і з часу проголошення незалежності України.

У статті наголошено, що, починаючи від 1990-х років, і до цього часу національне законодавство про працю має проблеми, що потребують: 1) законодавчого висвітлення та закріплення соціального призначення трудового права у сфері регулювання трудових відносин між найманим працівником і роботодавцем та їх практичній реалізації; 2) правильного з'ясування змісту поведінки суб'єктів трудових відносин на основі заборон, велень і дозволів, які регламентують ті чи інші сторони трудової діяльності; 3) реформування законодавства про працю з метою спрямування та приведення його у відповідність із Конституцією України й загальноновизнаними принципами та нормами міжнародного трудового права; 4) єдності правової політики держави у сфері праці окремих категорій найманих працівників; 5) створення ефективного правового механізму з метою регулювання сфери договірних відносин і індивідуальних, і колективних з урахуванням нових соціальних зв'язків між найманими працівниками й роботодавцем на засадах соціального діалогу; 6) створення відповідної правової основи, яка забезпечувала б економічну зацікавленість роботодавців у створенні безпечних умов праці для найманих працівників; 7) законодавчого врегулювання рівності прав чоловіків і жінок у сфері праці з метою забезпечення рівних можливостей, пов'язаних із винагородою за результати праці та соціальним захистом працівників; 8) нових за змістом підходів до правового регулювання юридичної відповідальності за порушення законодавства про працю саме тому, що норми трудового права перетворюються із загальних формалізованих положень на конкретні юридичні права й обов'язки суб'єктів трудових відносин.

У статті акцентовано, що кожна людина самостійно ухвалює рішення щодо власної трудової діяльності й особисто відповідає за свій добробут. Водночас законодавство про працю повинне бути якісним та ефективним регулятором трудових відносин, що є основою для задоволення матеріальних і соціальних потреб працівника.

**Ключові слова:** законодавство про працю, відповідальність, працівник, роботодавець, трансформація, ринкова економіка, фінансово-правові відносини

**JEL Класифікація:** J20; J22; J23; J31; J53