

## **V. Sloma**

### The right to strike and its implementation in Ukraine

There are some contradictions often arisen in the process of the employment relationships between the parties that can cause both individual and collective labor disputes.

To resolve the collective labor disputes a labor group has the right to organize and carry out a strike in accordance with the effective legislation of Ukraine.

Affirming the right to strike in the Constitution of Ukraine is a reproduction of the provisions (Art. 6 of the European Social Charter, Art. 8 of the International Covenant on Economic, Social and Cultural Rights). The organization of the strike is determined by the law "On the procedure for settling collective labor disputes (conflicts)."

The strike may be declared if conciliation does not lead to resolution of collective labor disputes or the owner evades the conciliation procedures.

When the strike is declared the employees must comply with all the conditions stipulated by the law, including the notice period announced by the employer concerning the beginning of the strike.

According to the current legislation of Ukraine the working hours of the employees who take part in the strike are not payable. For the financial security of the workers involved in the strike, the law provides the possibility of creating the strike fund from voluntary contributions and donations. Participation in a strike besides the strikes declared illegal by a court is not considered as a violation of labor discipline and can not be a ground for disciplinary sanction.

**Key words:** labor relations, employee, employer, strike.