

LEGAL REGULATION OF HOLIDAYS IN UKRAINE AND INTERNATIONAL EXPERIENCE

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The strategic course of Ukraine for integration into the European community of socially oriented states determines a new approach to the problems of ensuring human rights and freedoms, including social rights.

One of the priority tasks of building up each democratic, social and legal state is the formation of its own legislative framework, including in the field of labor law.

In Ukraine, today the problem of improving labor legislation is very relevant, because in today's conditions it is impossible to rely on success in the country's social and labor policy, isolating itself from the world community. Positive international experience in labor relations, tested by the practice of its application in many countries, will help Ukraine in finding the most effective ways to uphold the legitimate rights and interests of the worker.

The person who works has certain rights, including the right to leave. State guarantees and relations related to holidays are regulated by the Constitution of Ukraine, the Labor Code of Ukraine, and the Law of Ukraine "On Holidays", other laws and regulations of Ukraine.

In accordance with Article 2 of the Law of Ukraine "On Vacations" № 504/96-VR dated 15.11.1996; all employees who fulfill their duties under the terms of an employment contract are entitled to annual leave. Moreover, such a right is guaranteed irrespective of the form of ownership and the type of activity of the enterprise, institution of the organization. This right applies to hired workers of individual entrepreneurs,

persons working part-time, on seasonal work and performing official duties in full-time or part-time work. Foreign citizens and stateless persons have the right to leave on a par with citizens of Ukraine.

Legislation provides for other holidays granted in connection with training, preparation and participation in competitions, creative vacations, childcare, etc.

One of the important problems that require its solution is to bring Ukrainian legislation on leave in line with international standards, in particular those provided for in the conventions and recommendations of the International Labor Organization.

To date, there are two ILO Conventions (№ 52 and № 132) that deal with annual paid holidays. In EU countries, the duration of annual paid leave varies from 20 working days (4 weeks) (in Ireland, Belgium, Bulgaria, Cyprus, Greece, Romania, Slovakia, Germany, Hungary, Italy, etc.) to 28 working days (in the UK), 30 days (in France, Spain).

The experience of foreign countries in providing additional and social holidays is positive.

In the current socio-economic situation, it is important not only to have the right to leave, enshrined in the Constitution and regulations, but has a real opportunity to implement it.

The new Labor Code should become a guarantee of the creation of proper working conditions, rest, protection of interests of workers and employers, bringing it in line with European standards.