

Exam preparation issues – 2023/2024

Labour Law

1. The subject of Labour Law. Classification of relations that constitute the subject of Labour Law.
2. The concept and general characteristics of labour relations. Signs of labour relations. The parties and the content of labour relations.
3. The method of Labour Law, its features.
4. Functions of Labour Law.
5. Legal status of employees.
6. Legal status of employers.
7. Employers' organizations and their associations as subjects to Labour law.
8. Trade unions' rights in the field of social and labour relations.
9. Social dialogue in the field of labour: concepts and forms.
10. Parties of social dialogue.
11. Concepts and types of agreements on socio and economic issues.
12. Content of agreements on socio and economic issues.
13. The procedure for concluding, and amending agreements on socio and economic issues and monitoring their implementation.
14. The procedure for concluding a collective contract, and its registration.
15. The concept and content of the collective contract.
16. The term of the collective contract and agreements on socio and economic issues.
17. Liability for breach of agreements on socio and economic issues and collective contracts.
18. The concept of Employment and its types.
19. The concept of Occupancy.
20. The employed population.
21. Legal status of the unemployed.
22. Social guarantees in case of job loss and unemployment.
23. Unjustified refusal of employment and illegal dismissal.
24. The concept and meaning of the employment agreement.
25. The difference between an employment agreement and labour-related civil contracts.
26. Content of the employment agreement: mandatory (necessary) and additional (optional) conditions.
27. Forms and terms of the employment agreement.
28. General procedure for employment.
29. Recruitment probation period: concept, procedure, duration and legal consequences.
30. The types of employment agreements.
31. The types of fixed-term employment agreements.
32. Legal regulation of labour relations of seasonal and temporary workers.

33. Contract as a special type of employment agreement.
34. Part-time work, a combination of professions (positions) and replacement of temporarily absent workers.
35. Types of changes in the terms of the employment agreement (*зміна умов трудового договору*).
- 36.2. Transfer (*переведення*) to another job. Its classification.
- 37.3. Transfer to another job at the initiative of the employer or at the initiative of the employee.
- 38.4. The movement (*переміщення*) of an employee to another workplace.
- 39.5. Change of significant working conditions (*зміна істотних умов праці*).
40. Dismissal of the employee due to the expiration of the validity period of the employment agreement (Clause 2 article 36 Labour Code of Ukraine).
41. Dismissal of an employee by agreement of the parties (Clause 1 article 36 Labour Code of Ukraine) and at the initiative of the employee (article 38 Labour Code of Ukraine): procedures and differences.
42. Termination of an employment agreement in connection with changes in the organization of production and labour, including liquidation, reorganization, bankruptcy or re-profiling of an enterprise, institution, organization, reduction of the number of staff of employees (clause 1 art. 40 of Labour Code of Ukraine).
43. Termination of an employment agreement in connection with the revealed discrepancy of an employee with the position held or work performed due to insufficient qualification or health conditions that prevent the continuation of this work and also in case of refusal to grant admission to state secrets or cancellation of admission to state secrets if the performance of the duties entrusted to him/her requires access to state secrets (Clause 2 art. 40 of the Labour Code of Ukraine)
44. Termination of the employment agreement at the initiative of the employer for systematic non-performance by the employee without good reason of labour duties (clause 3 of Article 40 of the Labour Code of Ukraine).
45. Terminating the employment agreement at the employer's initiative for absenteeism without good reason (clause 4 of Article 40 of the Labour Code of Ukraine).
46. Termination of the employment agreement at the initiative of the employer in case of non-appearance for work for more than four consecutive months due to temporary incapacity for work (clause 5 of Article 40 of the Labour Code of Ukraine).
47. Termination of the employment agreement at the initiative of the employer in case of appearance at work in a state of intoxication, in a state of narcotic or toxic intoxication (clause 7 of Article 40 of the Labour Code of Ukraine)
48. Termination of the employment agreement at the initiative of the employer in case of committing stealing (including minor) (*розкрадання, у тому числі дрібне*) of the owner's property at the place of work, established by a court verdict that has entered into legal force, or by an order of a body in whose

competence includes the imposition of an administrative penalty or application of measures of social pressure (clause 8 of Article 40 of the Labour Code of Ukraine).

49. Termination of the employment agreement at the initiative of the employer in case of a one-time gross employee' violation of labour duties (Clause 1 of art. 41 of the Labour Code of Ukraine)
50. Termination of the employment agreement at the initiative of the employer in case of guilty actions of an employee who directly serves monetary, commodity, or cultural values, if these actions give grounds for a loss of confidence in him/her by the employer (Clause 2 of art. 41 of the Labour Code of Ukraine)
51. Termination of the employment agreement at the initiative of the employer in case of the commission of an immoral offence by an employee who performs educational functions (*виховні функції*), which is incompatible (*несумісний*) with the continuation of this work (Clause 3 of art. 41 of the Labour Code of Ukraine)
52. The concept and types of working time.
53. Working regime and accounting of working time: the concept and procedure for establishment.
54. Non-standard working day: concepts, categories of workers, the order of establishment.
55. Flexible working hours.
56. Overtime work: the concept and procedure for establishment.
57. Features of attracting employees to work on holidays and days off.
58. Labour protection as an institution of Labour Law.
59. Regulations on labour protection. European and international legislation on labour protection. Regulation of labour protection in the collective contract and agreement.
60. Guarantees of workers' rights to labour protection.
61. Training employees on occupational safety and fire safety. Types of instructions.
62. The investigation and recording of accidents, occupational diseases, and emergencies at work at enterprises, institutions and organizations.
63. Methods of regulation of wages.
64. The concept, structure and characteristics of wages.
65. Minimum wage. Salary indexation.
66. The payment rating system.
67. Calculation of the average earnings.
68. The remuneration procedure.
69. Limitation of deductions from wage.
70. Guarantees and compensations.
71. The concept of labour discipline, and methods of its provision.
72. Legal regulation of internal labour regulations.
73. The concept, grounds and types of incentives for success in work. The procedure for applying incentives.

74. The concept and types of disciplinary liability of employees.
75. Sanctions for labour discipline violation: types and procedure.
76. The concept, meaning and functions of financial (material) liability in Labour law.
77. General grounds and conditions of financial (material) liability of employees.
78. Types of financial liability (material) of employees.
79. Cases that exclude financial (material) liability.
80. The content and procedure for concluding a written agreement on full financial (material) liability.
81. Determining the amount of damage and the procedure for compensation for damage caused by the employee.
82. Liability of the employer to the employee.
83. The concept and types of labour disputes, the causes of their occurrence.
84. Organisation of Labour Disputes Commissions.
85. Procedure for Consideration of a Labour Dispute in the Labour Disputes Commission.
86. The Procedure for Execution of the Decision of the Labour Disputes Commission.
87. Collective labour disputes: subject, parties, time of occurrence.
88. Authorities Considering Collective Labour Disputes and the Procedure for Settlement of Collective Labour Disputes (Conflicts).
89. The concept of a strike and the procedure for its conduct.
90. National Mediation and Conciliation Service. Its role in resolving Collective Labour Disputes.