

# Under banner of “de-Sovietization,” Ukrainian government prepares deep assault on workers’ rights

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As the war in Ukraine continues into its fourth month the Ukrainian parliament is set to enact a major revision of the country’s labor code that will severely undermine workers’ rights.

The Ukrainian parliament is threatening to set workers back to the tsarist era by tearing up existing minimal labor protections and giving companies a blank check to fire workers and impose substandard working conditions.

Under the terms of Bill 5371, workers at companies employing 250 workers or less would be removed from the protection of existing labor laws, placed under individual contracts with management and be subject to termination for any reason. The changes would affect about 70 percent of the country’s workers.

Supporters of the legislation justify it under the banner of “de-sovietization,” that is, the elimination of any residual protections carried over from the old USSR. The existing labor code dates back to 1971 when Ukraine was part of the Soviet Union, which remained a workers state despite its extreme bureaucratic degeneration under Stalinism. The Ukrainian oligarchs, which like their counterparts in Russia, arose from the privatization of state property after the Stalinist liquidation of the USSR in 1991, are determined to dispense with the slightest protections for workers.

The perilous state of workers’ rights in Ukraine further exposes the democratic pretenses used by the United States and other NATO powers to justify the proxy war they are waging against Russia in Ukraine. Through the relentless eastward expansion of NATO and the massive arming of Ukraine, the US and European imperialist powers goaded Putin into the reactionary invasion, which has created millions of refugees and devastated wide areas of a country which was the poorest in Europe before the war.

In March, shortly after Russia began its invasion, the Ukrainian parliament passed a “suspension of employment” order under the current state of martial law where workers are not technically fired but they do not work or get paid. It also permitted companies to suspend collective bargaining agreements. Strikes were banned, and street demonstrations can be prohibited without a court ruling.

Under the martial law decree, the standard working hours can be raised to 60 hours per week instead of 40 hours and raised to 50 hours per week for special categories of employees for whom reduced working hours can be applied. “Weekends” can be cut to 24 hours off work.

In addition, the number of categories of workers barred from night work was reduced, and the list of employees who can be involved in heavy work, overtime work, etc. was expanded.

Among the employers that have “suspended” collective bargaining agreements are Nova Poshta (New Post), a private mail carrier, and the global steel giant ArcelorMittal. At Nova Poshta, management has revoked 30 provisions of the collective bargaining agreement covering some 11,500 workers. The changes involved working conditions and social benefits, such as the provision of uniforms, safety kits and working hours. Some 1,500 workers had their employment “suspended,” i.e., they were laid off.

In early May, the Trade Union of Metallurgists and Miners contacted management at the ArcelorMittal plant in Kryvyi Rih to complain that the company had suspended parts of the collective bargaining agreement, including the provision of social welfare benefits to workers.

The proposed changes to Ukraine’s labor code were

first introduced in April 2021—that is, 10 months before the war started—but stalled in parliament. However, Ukrainian officials have used the war to move Bill 5371 forward. On May 12, 246 deputies voted in favor of the legislation, opening the way to enactment. It could still theoretically face a veto by President Zelensky.

The legislation was initially filed by Halyna Tretyakova, head of the parliamentary committee on social policy, and several members of Zelensky’s ruling Servant of the People party.

According to openDemocracy, “The bill was developed by a Ukrainian NGO, the Office of Simple Solutions and Results, which was set up by former Georgian president Mikheil Saakashvili, together with Ukrainian employers’ associations and a USAID programme.”

Those calling for a veto by Zelensky argue that the legislation would violate European labor standards and the International Labor Organization conventions and thus could hold up Ukraine’s integration into the European Union.

One expert cited by openDemocracy said, “This is a rollback to the 19th century. By introducing civil law into labour relations, we can open Pandora’s box.”

In November 2021, openDemocracy had reported that the British Foreign Office had advised the Ukrainian Ministry of Economy on how to push through anti-worker changes to labor law. It stated, “A 2021 communication plan prepared by an international development consultancy and marked with the logo of the British Embassy in Kyiv recommends that the Ukrainian ministry should ‘stress’ that liberalising labour laws will bring ‘positive results’ for Ukrainian workers.”

A statement by the European Public Service Union on Bill 5371 remarked on Ukraine’s push to “desovietize” labor law. “But modernising the legislation by proposing to repeal the ILO Recommendations and Conventions, to violate the articles of the European Social Charter and the Association Agreements with the EU, looks more like the authors of the bill prefer the tsarist era.”

Until May there had not been enough parliamentary support to advance the bill, but that changed when supporting votes were provided by the Trust political party, as well as by former members of the pro-Russian party, Opposition Platform/For Life. The latter had been banned by parliament last month along with a threat to take away the mandates of its parliamentary representatives, perhaps intimidating them to switch their votes in favor of the legislation. The parliament is preparing for a second reading of the bill under an

accelerated procedure.

In a post on the blog Cross Border Talks author Ma?gorzata Kulbaczevska-Figat notes that even under the existing labor code, the conditions of workers in Ukraine were atrocious.

“Before the Russian invasion, millions of Ukrainian workers migrated to EU countries (and not only), knowing well that even the poorest of them—Bulgaria and Romania—offered significantly better earnings to an average worker than their homeland.

“Low wages are virtually strangling our economy,” she continued. “In addition, some 20-30 percent of Ukrainian workers are employed ‘unofficially.’

“Even working in a state-owned enterprise, in a critical economy sector, does not guarantee a stable salary, allowing for a decent living.”

Miners, for example, faced delays in payment of wages. “The miners were regularly organizing spontaneous protest actions, including the most desperate move—an underground protest. Another huge underground protest action took place in 2020 in Kryvy Rih, the center of iron mining of transnational importance. A group of workers of KZRK, a formerly state-owned plant consisting of four iron mines and more associated factories, spent more than a month inside mines, demanding a pay rise.”

She cited an expert on labor law who warned that big companies may “artificially split into smaller 250-people entities so that maximum flexibility can be used even by the biggest and strongest employers.”

The fact that the war in Ukraine is being used to impose a brutal increase in exploitation on the already impoverished working class in the country is a further indication of the reactionary character of the conflict. Workers in Ukraine, as well as their brother workers in Russia and the NATO countries, have nothing to gain from this war, which contains the seeds of a world conflagration. Workers in all lands must unite in opposition to the war in Ukraine, which was instigated by US imperialism and its allies as part their drive for world hegemony.



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