



This project is funded by
the European Union



This project is implemented by
the International Labour Organization

EU-ILO Project
ENHANCING THE LABOUR ADMINISTRATION CAPACITY
TO IMPROVE WORKING CONDITIONS AND TACKLE UNDECLARED WORK

*Approved by the members of the Project Steering Committee
at the first sitting, 07 November 2017*

Project Steering Committee

Terms of Reference

I. Introduction

In 2014, under the supervision of the Ministry of Social Policy, the State Labour Service was set up to gather labour inspection services regarding labour legislation compliance, occupational safety and health, employment relations, compulsory state social insurance and implementation of state mining supervision.

On 1 September 2017, the EU-Ukraine Association Agreement (AA) entered into force. The EU-Ukraine Deep and Comprehensive Free Trade Area (DCFTA) as part of the Association Agreement provides Ukraine with a framework for modernizing its trade relations and for economic development by opening up markets and harmonizing laws, standards and regulations in various sectors, notably international labour standards.

In order to support implementation of this Agreement, the EU is funding actions to provide policy advice, advice on legal approximation process with the EU, and capacity building in priority areas covered by the EU-Ukraine Association Agreement and the Association Agenda. Due attention is given, among others, to the labour inspection reforms.

One of the Actions funded by the EU in this context is the Project “Enhancing the Labour Administration Capacity to Improve Working Conditions and Tackle Undeclared Work” implemented by the International Labour Organization from July 2017 to June 2019.

The Project aims at enhancing the Ministry of Social Policy of Ukraine and in particular the State Labour Service contribution to safer and healthier working conditions for workers in Ukraine. In order to achieve this goal, the Project will focus on the following:

- Assisting the Ministry of Social Policy in:
 - approaching Ukrainian legislation to the EU Framework Directive on OSH 89/391/EEC and its main specific directives whilst paving the way for the ratification of ILO Convention 187;
 - alignment of the UA legislation with a selected number of EU directives on working conditions;
- Providing the SLS with a robust corpus of knowledge, intelligence and training of labour inspectors to tackle undeclared work; and
- Improving the performance of the labour inspection by ensuring a full implementation of ILO Conventions No. 81 and No. 129, providing the necessary training to labour inspectors and giving technical assistance to the management of SLS for the labour inspection to be in line with EU good practices.

The Project activities will be in coherence with the outcomes of the currently being implemented ILO project “*The effectiveness of the labour inspection system and of social dialogue mechanisms is strengthened*” (until March 2018).

Both projects should converge in the provision of technical assistance to the SLS needed to improve compliance with labour laws and ILS in Ukraine, supporting SLS in fully deploying its functions (inspection and enforcement) with the goal of building a coherent and modern Labour Inspection operative and in line with both ILS and EU best practices.

The Project shall set up a **Steering Committee** to guide Project implementation.

II. The mandate of the Steering Committee

1. To give strategic guidance on project implementation: this can include providing advice on the strategic orientations of the project and proposing adjustments to the workplan to fully achieve the project objective if necessary.
2. To serve as a platform for the tripartite constituents to be updated on the project progress and to share information on on-going and planned activities to promote synergy and coherence.
3. To monitor project implementation by taking an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results.

III. The composition of the Steering Committee

1. The SC shall be composed of representatives of the following institutions/organizations
 - **Verkhovna Rada of Ukraine:**
 - a) Committee on Social Policy, Employment and Pension Security
 - **Government of Ukraine:**
 - a) Ministry of Social Policy;
 - b) Ministry of Economic Development and Trade;
 - c) State Labour Service;
 - d) State Regulatory Service
 - **Employers' organizations;**
 - **Workers' organizations;**
 - **Secretariat of the National Tripartite Socio-Economic Council;**
 - **European Union;**
 - **International Labour Organization**
2. Each organization will designate the person(s) that will represent it. Any change will be promptly communicated to the secretary of the SC in writing at least 5 days before the meeting.
3. **Chair.** The Steering Committee shall be chaired by the Deputy Minister of Social Policy whose mandate includes the issues of labour inspection, occupational safety and health.
4. **Deputy-chair.** The Steering Committee Chair should appoint a Deputy Chair to help the Chair in managing the SC, as well as to ensure the substitution of the SC Chair whenever the chair cannot attend to the meetings.
5. **Secretary.** The National Project Coordinator will act as secretary of the Steering Committee.
6. The total number of SC members shall be up to 20 persons.

IV. Organization and Management

1. The SC members shall meet officially at least once every six months.
2. The Secretary organizes SC meetings and the draft agenda in consultation with the Project Manager and national stakeholders. A written invitation and draft agenda, as well as reports for discussion, will be sent to SC members in adequate time, to the extent possible, before the meeting is scheduled to take place at least 5 working days in advance.
3. Formal minutes of the SC meetings will be kept by the Secretary and shared with the SC members
4. The SC will take decisions by consensus and strike a balance between the different positions of members.

V. Final dispositions

1. The SC members can agree, on a consensus basis, to modify the present Terms of Reference, provided the ILO project personnel has been duly consulted and have given their approval.
2. The Terms of Reference of the SC shall be valid until the day of the closure of the ILO project funded by EU.
3. This Terms of Reference shall become effective upon adoption by members of the SC.