



National Tripartite Conference Launch of the Decent Work Country Profile for Ukraine and Media Campaign

Workshop Report
Kiev, 27 April 2011



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ILO Country Office for Ukraine
ILO/EC Project “Monitoring and Assessing Progress on Decent Work” (MAP)

Workshop Report

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of the Decent Work Country Profile for Ukraine
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International Labour Office
Kiev, Ukraine

April 2011

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ILO Cataloguing in Publication Data

Workshop report: national tripartite conference : launch of the Decent Work Country Profile and Media Campaign : 27 April 2011, Kiev, Ukraine / International Labour Office ; ILO Country Office for Ukraine ; ILO/EC Project "Monitoring and Assessing Progress on Decent Work (MAP).- Kiev: ILO, 2012
1 v.

ISBN: 978-92-2-126155-1; 978-92-2-126156-8 (web pdf)

International Labour Office and ILO National Coordinator for Ukraine; National Tripartite Conference : Launch of the Decent Work Country Profile and Media Campaign (2011, Kiev, Ukraine)

decent work / measurement / ILO Programme / employment / wages / hours of work / family responsibilities / equal rights / social dialogue / Ukraine

13.01.1

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Foreword

Decent work is central to efforts to reduce poverty and is a means for achieving equitable, inclusive and sustainable development. It involves opportunities for work that is productive and delivers a fair income, provides security in the workplace and social protection for workers and their families, and gives people the freedom to express their concerns, to organize and to participate in decisions that affect their lives.

Monitoring and assessing progress towards decent work at the country-level is an important concern for the ILO and its constituents. The *2008 Declaration on Social Justice for a Fair Globalization* recommends the establishment of appropriate indicators or statistics, if necessary with assistance from the ILO, to monitor progress made in the implementation of the ILO Decent Work Agenda (DWA)¹.

In September 2008, the ILO convened an international Tripartite Meeting of Experts on the Measurement of Decent Work and subsequently adopted a framework of Decent Work Indicators (DWIs), which was presented to the 18th International Conference of Labour Statisticians in December 2008. The Governing Body of November 2008 endorsed the proposal to test the framework in a limited number of pilot countries, by developing Decent Work Country Profiles (DWCPs).

In the past, countries have called for the ILO to support their efforts to monitor and assess progress towards decent work. In response, the ILO, with funding from the European Union, is implementing the technical cooperation project “Monitoring and Assessing Progress on Decent Work, 2009-2013” (MAP). The project works with Government agencies, workers’ and employers’ organizations and research institutions to strengthen national capacity to self-monitor and self-assess progress towards decent work. Based on consultations with the Ukrainian tripartite constituents and various stakeholders, Ukraine was selected as one of the pilot countries to participate in the global MAP project.

The *National Tripartite Conference: Launch of the Decent Work Country Profile and Media Campaign*, took place in Kiev, Ukraine, on 27 April 2011, and was co-organized by the Ministry of Labour and Social Policy of Ukraine (MLSPU) and the ILO. The conference was a follow-up to the *Tripartite National Consultation Workshop for Ukraine* held in September 2009 on the identification of a core set of indicators for monitoring decent work in Ukraine, and the discussion on the first draft of the decent work country profile for Ukraine.

The conference aimed to launch the Decent Work Country Profile for Ukraine and discuss main findings and possible follow ups in the context of Ukraine. It involved more than 70 participants, including policymakers from the MLSPU, the State Statistics Committee of Ukraine (SSCU), the National Tripartite Socio-Economic Council under the President of Ukraine, representatives from the Federation of Trade Unions of Ukraine (FTUU), the Confederation of Free Trade Unions of Ukraine (CFTU), the All-Ukrainian Association of Workers’ Solidarity (VOST), the Federation of Employers of Ukraine (FEU), the Confederation of Employers of Ukraine (CEU), the All-Ukrainian Association of Employers (VAR) and representatives from the Joint Representative Body of Employers Side at the national level, as well as academics from institutes including the Centre of

¹ See:

http://www.ilo.org/wcmsp5/groups/public/@dgreports/@cabinet/documents/publication/wcms_099766.pdf

Social Expertise, Institute of Sociology of the National Academy of Sciences of Ukraine (NASU), the Institute for Demography and Social Studies, NASU, the Research Institute of Labour and Employment, the National Occupational Safety and Health Research Institute, and the Institute of Economics and Forecasting, NASU among others.

This report provides the summary of the conference discussions and proceedings and can be a useful reference for producers and users of decent work statistics. The DWCP is part of early efforts to measure progress on decent work in its four dimensions. I hope that this and similar initiatives to enhance analysis and monitoring of Decent Work Indicators will continue to contribute to better policies and programmes to realize decent work in Ukraine.

Mark Levin

Director

Country Office for Central and Eastern Europe

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List of acronyms and abbreviations

CEU	Confederation of Employers of Ukraine
CFTU	Confederation of Free Trade Unions of Ukraine
DW	Decent Work
DWA	Decent Work Agenda
DWI	Decent Work Indicators
DWCP	Decent Work Country Profile
EC	European Commission
EU	European Union
FEU	Federation of Employers of Ukraine
FSIAD	Fund of Social Insurance against Industrial Accidents and Disease
FTUU	Federation of Trade Unions of Ukraine
GDP	Gross Domestic Product
HIV	Human Immunodeficiency Virus
ILO	International Labour Organization
ILO GB	International Labour Organization Governing Body
MDG	Millennium Development Goals
MLSPU	Ministry of Labour and Social Policy of Ukraine
NASU	National Academy of Sciences of Ukraine
NCMSU	National Conciliation and Mediation Service of Ukraine
OECD	Organization for Economic Co-operation and Development
OSH	Occupational Safety and Health
SSCU	State Statistics Committee of Ukraine
TU	Trade Union
UAH	Ukrainian hryvna
UN	United Nations
UNDP	United Nations Development Programme
USSR	Union of Soviet Socialist Republics
VAR	All-Ukrainian Association of Employers
VOST	All-Ukrainian Association of Workers' Solidarity

1. Opening statements

Moderator: Mr Vasyl Kostrytsya, ILO National Coordinator in Ukraine

1.1. Opening remarks by the ILO National Coordinator in Ukraine

Mr Vasyl Kostrytsya, ILO National Coordinator in Ukraine

Mr Kostrytsya welcomed and thanked all participants and guests for their support and participation in the conference and expressed his honour in presenting the DWCP for Ukraine.

Mr Kostrytsya reminded participants of all the hard work that had gone into producing the DWCP for Ukraine. The process started in 2008 and involved some 50 Ukrainian experts as well as international experts from the ILO. A *Tripartite National Consultation Workshop for Ukraine on the Decent Work Indicators and the Decent Work Country Profile and Decent Work* was held in September 2008. This was followed by a *Tripartite Consultation Workshop* in September 2009 during which constituents provided input for the first draft of the DWCP and made recommendations on tailoring DWIs to the Ukrainian context.

A list of DWIs was compiled and a profile of decent work in was Ukraine established with the input from national ministries, trade unions and employers' organizations, as well as ILO experts, which situates work in the ever shifting context of the last decade. The DWCP uses a wide spectrum of indicators and provides extensive legislative data, with information collected from sources including the SSCU and the MLSPU. As a result, the DWCP is richly analytical and the synthesis of the most up to date information available has allowed important conclusions to be drawn.

Mr Kostrytsya discussed the significance of the DWA, stating that the commitments and efforts of the ILO are based on the four strategic objectives through which the DWA is expressed. The four strategic objectives are: creating jobs; ii) guaranteeing rights at work; iii) extending social protection; and iv) promoting social dialogue. The DWCP for Ukraine covers ten thematic areas corresponding to the four strategic objectives of the DWA, ranging from employment opportunities to combining work and family life and social dialogue. Furthermore, the economic and social context for decent work is outlined.

In concluding, Mr Kostrytsya emphasized that Ukrainian labour legislation largely falls in line with international standards, although work is still needed to ensure implementation is equally as effective. Looking forward, he mentioned that an official visit of the ILO Technical Commission to Ukraine was scheduled for May 2011 to conduct further analysis of wages and earnings and integration into national legislation of the Protection of Wages Convention, 1949 (No. 95) as part of the ongoing technical cooperation established between Ukraine and the ILO.

1.2. Opening remarks by the Government Representative

Mr V'yacheslav Kolomiets, Deputy Minister of Labour and Social Policy of Ukraine

On behalf of the MLSPU, Mr Kolomiets welcomed organizers, guests and participants to the conference. He thanked representatives of the ILO for their work in putting together the

DWCP for Ukraine and continued to reflect upon the strong and ongoing cooperation between Ukraine and the ILO.

Mr Kolomiets recalled the Memorandum of Understanding on the Decent Work Country Programme (2008-2011) for Ukraine signed in June 2008 between the ILO, the MLSPU and the Constituent Social Partners. The Decent Work Country Programme promotes decent work as a key component of development policies and at the same time as a national policy objective of the government and social partners. It reflects the strategic planning of ILO cooperation activities with Ukraine for the period 2008-2011.

At the request of the MLSPU and the social partners, the ILO has been working since January 2009 with the constituents to mitigate the effects the financial and economic crisis. This work is based on the Global Jobs Pact (2009), the ILO's crisis response framework, adopted by the governments, employers and workers of the ILO's 183 member States. The Global Jobs Pact is designed to guide national and international policies aimed at stimulating economic recovery, generating jobs and extending social protection for all. Under this framework, work in the Ukraine has focused on: promoting economic diversification; strengthening the implementation of labour standards in the metallurgy and tourism sectors; reforms to the payment of wages, including minimum wage setting and reform of social protection, including old-age pensions. Under the Decent Work Country Programme, a number of projects are implemented in Ukraine concerning: gender equality in the world of work; social inclusion of people with disabilities through access to employment and the elimination of child labour.

The Government of Ukraine is strongly committed to the DWA and congratulates the ILO for compiling the list of DWIs, which will be most useful in monitoring progress. In collaboration with the social partners, the Government is making efforts to improve working conditions, earnings and social protection; as well as to eliminate discrimination in the work place and promote access to skills and knowledge development.

In closing, Mr Kolomiets expressed confidence that the DWIs being presented at today's conference would become a main reference point for the social partners as they work together towards the goal of decent work for all.

1.3. Opening remarks by the Employers' Representative

Mr V'yacheslav Bykovets, Deputy Head of Joint Representative Body of Employers' Side at the national level, President of VOST

Mr Bykovets welcomed the DWCP which he sees as highly beneficial for policy makers, employers, trade unions and other stakeholders in Ukraine. He viewed the DWCP as a reference point in the process of realizing the DWA.

He underscored the importance of social dialogue as an important tool in the path to decent work, as well as a fundamental aspect of the goal itself. Mr Bykovets recalled the importance of the fundamental conventions on the right to organise and collective bargaining, both of which have been ratified by Ukraine: the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). He called for broader participation in social dialogue to reflect the spirit of these conventions and hoped that social partners would be able to work together to improve working conditions as well as employers' organizations.

The implementation of the DWA in Ukraine today would create the framework for nationwide prosperity and growth tomorrow. It will also provide stimulus for job creation, the foundation for a social state and extension of social protection.



Mr V. Kostyrytsya opening the National Tripartite Conference and presenting Decent Work Country Profile for Ukraine

1.4. Opening remarks by the Workers' Representative

Mr Sergiy Ukrainets, Deputy Head of the FTUU

Mr Ukrainets welcomed the DWCP and argued that the ILO had taken a nuanced approach to developing decent work indicators. He believes the DWCP for Ukraine will be a useful benchmark in monitoring progress towards decent work in Ukraine.

Decent work above all, sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, as well as freedom for people to express concerns, organize and participate in decisions that affect their lives. Legislation in Ukraine goes a long way to guarantee all these rights, however implementation is in some cases lacking.

The FTUU is concerned about the level of minimum wages set in Ukraine. The European Social Charter stipulates that minimum wages should be worth at least 60 per cent of the monthly national average. However in Ukraine, the minimum wage is worth 35.7 per cent of the average and is projected to decline to a value of just 32.6 per cent by 2015. The FTUU advocates greater dispersal of the fruits of economic growth and a progressive increase in minimum wage to meet international standards and at the same time, greater efforts to reduce social and economic polarization, to combat the rise of informal employment

In recent years, Ukraine has strengthened and developed a system of social insurance based on the principle of solidarity and managed through social dialogue. Trade Unions are positive that social dialogue will greatly assist future reforms to social protection and a visible rise in civic participation will support this dialogue. Mr Ukrainets said that

supporting the extension of social protection and strengthening social dialogue are two main priorities of the FTUU.

In closing, Mr Ukrainets called for close consideration of the DWCP by the tripartite partners. To maintain the momentum, the IV Congress of the FTUU approved a Resolution concerning “Decent work, social well-being and economic growth” encouraging the realization of decent work in Ukraine.

2. Presentation of the ILO Programme on measuring Decent Work (Session 1)

2.1. Background of the Decent Work Agenda and Decent Work Indicators

Presenters: Mr Nikolai Rogovsky, Senior economist, Policy Integration Department, ILO, Geneva, Mr Igor Chernyshev, Head of Yearly Indicators Decent Work Data Production Unit, Department of Statistics, ILO Geneva

Mr Rogovsky gave an overview of the development and use of DWIs in the context of the MAP project. He recalled that the DWCP for Ukraine was a pilot profile, one of the aims of which was to further strengthen and test the use of DWIs. The DWCP for Ukraine was the fourth profile compiled under the MAP project, following those of Austria, Tanzania and Brazil. The next stage is to compile between eight and ten additional country profiles for both developed and developing countries. The DWCPs aim to encapsulate the multifaceted nature of decent work, addressing both qualitative and quantitative data through statistical indicators and legal framework indicators. Each DWCP encompasses three types of expertise: statistical, legal and economic to create a holistic view of decent work in a given context.

One of the greatest challenges in compiling the DWCPs concerned formalization of DWIs. The ILO has been working to develop DWIs since 2000 and the issue has been hotly debated. Nonetheless, under the guidance of the Governing Body, the September 2008 Tripartite Meeting of Experts on the Measurement of Decent Work, experts created a final list of DWIs. The experts stressed the importance of rights as a component of decent work and recommended the systematic provision of information on rights at work and the legal framework for decent work, in a manner consistent with the ILO supervisory system. Then in November 2008, the 18th International Conference of Labour Statisticians passed a Resolution recommending further work on the measurement of decent work through the preparation of DWCPs and further development of statistical indicators. The data presented in the pilot DWCPs is structured in line with the list prepared by the 2008 Tripartite Meeting of Experts.

Complementing the DWCPs in furthering the development of DWIs, the ILO has also created a DWI guide, a series of methodological tools explaining DWIs and providing information on effective data collection and analysis. At the same time, the European Union has become actively involved in the process, creating profiles for ten member states. Additionally, DWIs are used in a number of ILO outputs in addition to the DWCPs, including Decent Work Country Scans, which are tools for compiling DWCPs, and Decent Work Country Policy Briefs.

Strategic discussions held in a number of Governing Body meetings have set the basic principles for the measurement of decent work, including: i) assisting constituents in

assessing progress towards the goal of decent work, and ii) offering comparable information for analysis and policy development. The Governing Body does not view the development of aggregate composite indices ranking countries to be of value. While any index of DWIs should cover all areas of decent work and capture its multifaceted nature, looking for example at rights at work, social protection, social dialogue and gender issues. The Governing Body further recommended that statistical definitions of SWIs should be based, as far as possible, on existing international statistical standards.

A layered approach to indicators has been introduced, meaning that indicators are divided into subcategories as follows:

- Main indicators (M): a parsimonious core set of indicators to monitor progress towards decent work;
- Additional indicators (A): used where appropriate, and where data is available;
- Context indicators (C): provide information on the economic and social context for decent work;
- Legal indicators (L): refer to information included under legal framework;

The DWIs are quite closely related to Millennium Development Goal (MDG) Indicators collected by the United Nations, particularly those under MDG 1 “Eradicate extreme poverty and hunger”: Growth rate of GDP per person employed; employment-to-population ratio, working poverty rate (US\$1 a day); proportion of own-account and contributing family workers in total employment. The MDG indicators can complement the use of DWIs and can also be used for monitoring at the national level and comparative analysis.

The DWIs are grouped under ten substantive elements of decent work and the economic and social context for decent work. Each indicator represents an aspect of the four strategic objectives of the DWA: Employment, rights, social security, social dialogue). The relationship between the DWIs and the strategic objectives is laid out in Table 1.

Table 1. Relationship between Decent Work Indicators and strategic objectives of the Decent Work Agenda

Substantive element	Strategic objectives represented
Employment opportunities	Rights, Employment
Adequate earning and productive work	Rights, Social Security
Decent hours	Rights, Social Security
Combining work, family and personal life	Rights, Social Security
Work that should be abolished	Rights, Social Security
Stability and security of work	Rights, Employment, Social Security
Equal opportunity and treatment in employment	Rights, Employment, Social Security
Safe work environment	Rights, Social Security
Social dialogue, workers and employers representation	Rights, Social Dialogue
Economic and social context for decent work	Describes the context for decent work and thus covers all four strategic objectives

Source: Presenter's compilation based on outcome of the DW measurement methodology

Mr Cheryshev followed with a brief description of some of the challenges encountered and decisions that had been made in the process of compiling the DWCP for Ukraine. Firstly, it was decided that one means of maximizing the value of the profile was to gear the use of indicators to demonstrate contemporary application of elements of decent work and to limit collection of simplistic indicators, such as the number of ILO Conventions ratified by a country, as these do not necessarily demonstrate application of labour standards in practice. Furthermore, it was decided that indicators for a country should be identified in compliance with the *1998 Declaration on the Fundamental Principles and Rights at Work*. These decisions enabled the DWCPs to be tailored to the country's needs and the ILO to use its resources as efficiently and effectively as possible.

The statistical data sets should go beyond a description of work conditions to enable an understanding of the interaction between economic processes at play in a country, social development, poverty and progress towards decent work. The use of legal indicators enhances the value of statistical data collected and further assists analysis. A long-term goal is that the methodology used to collect DWIs and measure decent work be used systematically and incorporated as a tool in policy development.

As such, it is preferable to use national data for the DWIs, while balancing the need for international comparison. This was a challenge in drawing up the DWCP for Ukraine as national statistical definitions do not always align with international definitions in use by the ILO and the EU. This challenge was resolved at the 2009 National Tripartite Consultation Workshop, where it was decided to use both national and international definitions in some cases, for example categorization of working age and retirement age.

2.2. Questions and discussion

Following the presentations by the ILO officials, participants were invited to raise comments and questions.

A representative of the CFTU asked for clarification on the relationship between the strategic objectives of the DWA and the DWIs. In response, Mr Rogovsky stated the elements of decent work are based on three key points: i) the economy, represented by statistical indicators; ii) ILO Conventions; and iii) the national juridical framework.

A journalist asked about the decent work deficit in the Ukraine and whether it would be possible to reduce the deficit sufficiently to reach EU levels. Mr Rogovsky explained that the chapter on the economic and social context for decent work in the DWCP provides insight into this question. It explores the broad context of the socio-economic situation in Ukraine and how decent work fits into this context. The chapter enables comparison with other countries and demonstrates that there is an observable decent work deficit. Mr Cheryshev added each chapter of the DWCP includes tables of DWIs which help explore the decent work deficit. As the DWCP provides a comprehensive analysis of decent work in Ukraine and situates this within the economic and social context, the profile can serve as a reference point for policymaking to reduce the decent work deficit.



Mr I. Chernyshev (in the centre) and Mr N. Rogovsky (on the left) answering the questions of conference participant

3. Presentation of the Decent Work Country Profile. Major findings and ways forward (Session 2)

3.1. Short overview of the Decent Work Country Profile for Ukraine. Major findings and recommendations

Presenter: Mr Viktor Ivankevych, Director General of the Institute for Development of Social Insurance and Lending

Mr Ivankevych, who acted as the general editor of the DWCP gave a general overview of the document, presenting the major findings for each chapter.

The main aim of the DWCP is to measure progress towards decent work in Ukraine providing constituents with information and a reference tool for analysis and policy development. The profile is divided into 11 thematic chapters including analysis of the statistical DWIs as well as 21 legislative indicators. Table 2 shows the Legal Framework Indicators included in each thematic chapter.

Table 2. Legislative Framework Indicators by Decent Work Country Profile thematic area

DWCP thematic area	Corresponding legislative framework indicator(s)
Economic and social context for decent work	Labour administration
Employment opportunities	Government commitment to full employment Insurance in case of unemployment
Adequate earnings and productive work	Minimum wage established by the law
Decent hours	Maximum hours of work Paid annual leave
Combining work, family and personal life	Maternity leave Parental leave
Work that should be abolished	Child labour Forced labour
Stability and security of work	Termination of employment
Equal opportunity and treatment in employment	Equal opportunity and treatment Equal remuneration of men and women for work of equal value
Safe work environment	Employment injury benefits Labour inspection
Social security	Pension Incapacity for work due to sickness / sick leave Incapacity for work due to invalidity
Social dialogue, employers' and workers' representation	Freedom of association and the right to organize Collective bargaining right Tripartite consultations

Source: Presenter's compilation based on outcome of the DW Profile for Ukraine.

3.2. Economic and social context for decent work

Average life expectancy remained relatively low over the last decade at around 68 years, reaching a high of 69.7 years in 2009. This compares to a life expectancy of 75.1 years in Poland, 79.7 years in the OECD. Life expectancy increased following a decline in mortality rates brought about partly by a 43 per cent decline in transport related deaths, although deaths related to HIV/AIDS did not decline.

Ukraine is increasingly affected by HIV/AIDS with 1.6 per cent of the working age population HIV positive. This is one of the highest rates in Eastern Europe according to available data. Awareness of legislation concerning HIV/AIDS in the workplace is low and occupational safety and health measures protecting and supporting workers are thus limited in the formal sector, while workers in the informal sector by definition do not benefit from coverage by labour standards.

Moving forward, priority areas for action will be decreasing poverty, improving life expectancy by raising living standards, reducing the spread of HIV/AIDS and tuberculosis, improving education standards and promoting lifelong learning, improving gender equality and tackling environmental degradation.

3.3. Employment opportunities

The employment rate increased in the decade preceding the financial and economic crisis, however much of the growth took place in the informal sector and in dirty, difficult and

dangerous jobs. Between 2000 and 2009, the proportion of workers in the informal sector rose from 14.8 to 22.1 per cent, representing some 1.5 million people.

Monitoring the labour market is increasingly important to assess the effectiveness of crisis response mechanisms, as well as ongoing reforms to the social security system which are affecting taxation, insurance and old-age pension and unemployment benefits. Employment of people aged between 15 and 34 years is low and decreasing. There is concern that old-age pension reform will aggravate the situation as a legislative decision of October 2011 increased the term necessary to qualify for the minimum pension by ten years. It is expected that many people approaching retirement age will now attempt to remain in employment in order to qualify for the pension, thus increasing competition for jobs.

Increasing employment, particularly for young people is key to realizing the DWA and monitoring progress is essential. An annual report by the Gershenin Institute asked Ukrainian students what constituted success for them; 70.2 per cent answered they would consider themselves successful if they were able to realize their potential, 51.5 per cent wanted to grow professionally and build a career; 48.9 per cent prioritized love and friendship and 41.4 per cent material prosperity. Programmes and policy to facilitate the school to work transition are thus vital. While at the same time to enable people to qualify for old-age pensions it will also be necessary to foster lifelong learning and support people reaching retirement age in remaining in the workforce.

3.4. Adequate earnings and productive work

Decent work comprises adequate pay. Wages have grown in Ukraine since 2000 and according to the World Bank this is largely due to increases in labour productivity, meaning the real wage grew without affecting production costs and harming Ukraine's competitiveness in the global market. Further increases in labour productivity will require sustained momentum by employers to invest in new technologies and equipment as well as staff training.

There are a number of challenges relating to adequate earnings and productive work, including a large pay arrears whereby employees have not been paid for their work, a low minimum wage and a large number of people earning low pay. The minimum wage has declined in value and the trend looks set to continue. In 2009, the minimum wage was worth 33.7 per cent of the average wage, this rose to 39.7 per cent in 2010, although the Government projects this will decline to 32.6 per cent by 2014. This is far below the European Social Charter's stipulation that the minimum wage should not be worth less than 60 per cent of average wages in a country.

The low pay rate, representing the proportion of workers whose hourly earnings are lower than two thirds of median hourly earnings of all workers, is an additional challenge to decent work in Ukraine. Low paid workers are at greater risk of falling into poverty, and low paid work can become a trap, particularly for young workers and new labour market entrants, as much of the work is low-skilled and does not entail acquisition of new skills and thus labour market mobility. The gender gap in earnings persists and a large proportion of women are low paid workers. At the same time, there is a wide gap in earnings between different industries.

The wide income gap and polarization, combined with limited opportunities for social mobility are leading to increased social tension. The state's response to low income and wage setting has been limited and remained largely based on a Decree by President Kuchma in 1999, which expired in 2010.

3.5. Decent hours

There are two challenges regarding decent hours in Ukraine. One is a high proportion of workers engaged in excessive hours (more than 48 hours per week) and the other is the high proportion, almost one fifth, of workers who are underemployed and would like to work more hours. Many of those engaged in excessive hours do so to increase their income. Further study of workers motivation regarding overtime and underemployment would be a useful complement to existing official data.

3.6. Combining work, family and personal life

There remain a number of challenges in Ukraine to enabling men and women to combine work, family and personal life. Women are still viewed as responsible for work in the home and for taking care of relatives. A 2003 survey found that 28 per cent of working age women find it difficult to combine work with family responsibilities and some ten per cent found it difficult or impossible to do so. Increasing the retirement age may exacerbate this problem.

Legislation to promoting more flexible working arrangements may help women and men to better combine work, family and personal life. At the same time, increasing access to child care and nursing care for elderly and sick relatives would reduce the burden on women who tend to act as primary care givers, as would increasing opportunities for parental leave to take care of children up to the age of three years

3.7. Work that should be abolished

Legislation in Ukraine provides additional protection for young workers under the age of 18 years, banning their engagement in particularly dangerous professions. However the number of young people involved in dirty, difficult and dangerous work is increasing. Most child labour takes place in the informal sector, however there is also a need to extend further protection to children in education and apprenticeships who sometimes carry out inappropriate labour under their training process. A further issue which has as yet received little attention concerns the children of migrant workers, particularly when both parents migrate for work. What happens to these “economic orphans” when they remain in Ukraine? Do they receive adequate care? Are they able to complete their education?

The education system in Ukraine has suffered from budget constraints and children of poor families display low completion rates. With limited qualifications, these children have limited employment opportunities and can be trapped into a generational cycle of poverty.

Moving forward it will be necessary to implement programmes assisting the children of labour migrants. Further research on the implementation of legislation will also be helpful, for example studying the practice of forced labour in prisons.

3.8. Stability and security of work

As employment in the informal sector has increased, so stability and security of work has decreased. Those in the formal sector do not benefit from protection by labour standards, and while those in the formal sector are covered, implementation of law is lacking. For example, among workers in both the formal and informal sectors, there is little protection against being laid off.

It is necessary to improve data collection concerning stability and security in the labour market, with emphasis on the following areas:

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- Level of coverage by collective agreements in the formal sector and state. The last survey was conducted in 2004.
 - Strengthening the institutional ability of the State Labour Inspection Service and increasing its collaboration with other public organizations and trade unions.

3.9. Equal opportunity and treatment in employment

Traditional gender divisions still persist in Ukraine and the DWCP demonstrates that men and women do not have access to equal opportunities in life. Gender discrimination and a significant wage gap persist, although women are outperforming men in education and are receiving higher levels of qualifications: 34.5 per cent of women have a university degree compared to 27.4 per cent of men.

As well as reforming legislation to enable men and women to balance work and family obligations, reform is also needed in the area of gender equality. The Law on providing equal rights and opportunities for men needs reform and it is necessary to guarantee in the law that men and women have the right to equal pay for work of equal value.

3.10. Safe work environment

Some progress has been made in improving occupational safety and health in the workplace in Ukraine over the last ten years. The non-fatal occupational injury rate has declined and the severity of injuries incurred has also shown a strong decline. Challenges nonetheless remain. Some 24.6 per cent of workers are engaged in difficult and dangerous conditions and 27.8 per cent in workplaces that fail to meet hygiene and sanitary standards. Occupational illnesses remain a problem with between 5,000 and 7,000 cases registered each year and fatal occupational accidents have continued to increase.

Trade unions make efforts to monitor occupational safety and health assist workers in claiming their rights. There is a well-developed system for reporting occupational injuries and illnesses; however employers and workers do not always register occupational injuries or illnesses. Workers have expressed concern that they might lose their job if they report minor injuries.

The speaker made a number of proposals to improve health and safety in the workplace and protection and coverage of workers in Ukraine:

- Improve coordination of activities and use of funds between government institutions, trade unions and employers' organizations
- Foster development of a safe work culture through awareness raising
- Limit exposure of workers to toxic and noxious substances through limiting time of exposure and provision of appropriate safety products including face masks
- Expand coverage of compulsory insurance for occupational accidents and illnesses
- Finalize the draft Law on Compulsory state social insurance in case of occupational accidents and illnesses causing loss of working capacity.
- Streamline the benefits system by delegating the functions of the Social Insurance Fund for Occupational Accidents and Injuries to the Pension Fund and include payments under the common rules for compulsory state insurance

3.11. Social security

The social protection system in Ukraine is undergoing reform to improve service delivery and sustainability. At present, both the breadth and depth of coverage are lacking. The old-age pension provided under social insurance covers a broad segment of the pensionable population, however the benefits are low. In 2009, 58.1 per cent of pensioner-only households spent over 60 per cent of their income on food.

Despite the relatively low income of many pensioners, levels of state pension expenditure in Ukraine are among the highest in Europe at 17-18 per cent of GDP. However, this figure includes a wide variety of pensions, including those for war veterans and their children, former prisoners of concentration camps and victims of the Chernobyl disaster. When a stricter definition is applied, pension expenditure is 11–12 per cent of GDP, a figure on a level with most European countries.

Further research is necessary to ensure reforms are as beneficial as possible. Of particular concern are long term sustainability, the wide variation between the highest and lowest pensions received under state insurance and link to previous earnings, as well as the term of employment needed to qualify. At the same time as enhancing the state pension system, the private pension sector can be further developed. Earlier reforms of the compulsory state medical insurance system will provide key lessons in the reform of old-age pensions and the broader social security system.

3.12. Social dialogue, employers' and workers' representation

Progress in the area of social dialogue has been mixed, although it is widely viewed as an indispensable tool in addressing the most pressing problems in social and labour relations. At present, aspects of legislation do not fully conform with ILO fundamental conventions on the right to unionize, freedom of association and collective bargaining.

Social dialogue can enhance worker productivity, professional development of workers, business competitiveness and social stability. While many European countries make extensive use of social dialogue and collective bargaining, in Ukraine of the 92 industry agreements, just 20 were signed by employers' organizations. Similarly, of 15 agreements approved by the Ministry of Justice, just nine involved employers' organizations in deliberations.

3.13. Findings of the Decent Work Country Profile for Ukraine and possible follow-up

Presenter: Mr Igor Chernyshev, Head of Yearly Indicators Decent Work Data Production Unit, Department of Statistics, ILO Geneva.

Mr Chernyshev emphasized the high standard of the DWCP. He commented that it is the first document of its kind in Eastern Europe and hoped that it would be widely distributed. The profile highlights areas of progress and gaps in achievement in a clear and concise manner making it useful to policy makers.

The DWCP uses DWIs to provide some comparison with European countries and shows the deficit existing in Ukraine is starker than that in other countries such as Poland and Austria. Mr Chernyshev suggested that the creation of a database of decent work indicators would be useful for comparative analysis.

In closing a series of recommendations for the further promotion of decent work in Ukraine were made:

- Promote youth employment through training programmes, lifelong learning and matching education to labour market needs
- Reform of wage setting should take into account labour market dynamics and tax reform
- Conduct further research on the effects of programmes targeting excessive overtime and underemployment
- Strengthen the system of detection, reporting and analysis of occupational accidents and illnesses
- Explore the possibility of technical cooperation with the ILO on the Social Code Project in Ukraine which is undertaking analysis of legislation and norms regulating social relations between the state and citizens

3.14. Questions and discussion

Following the presentation participants were invited to make comments and raise questions.

A trade union representative expressed concern over laws regulating wage setting in Ukraine and concern over the high proportion of workers on low pay. In response, Mr Cheryshev commented that labour productivity is significantly lower in Ukraine than in many other European countries, leaving room for improvement in both productivity and wage levels. There is also a need to review the composition of the government consumption basket and ensure that social protection is expanded to fully cover workers.

A further question was raised about the possibility of feedback for Ukrainian researchers participating in the creation of the DWCP. Mr Ivankevych responded that Ukrainian researchers involved in the project had been part of an international research process and that detailed analysis had been conducted of issues that had previously received little attention, including adequate earnings, labour productivity and stability and security of work. The research provided a holistic view of social and economic development in Ukraine and it is hoped that on this basis, the Government and social partners will be able to formulate policy promoting decent work which will result in progress over the short to medium term.

A final question concerning methodology was raised, concerning the measurement of decent work in Ukraine and EU countries. Mr Chernyshev replied that the DWCP used ILO Conventions as a baseline for analysis in Ukraine, while EU regulatory documents served as benchmarks in those DWCPs.

4. General discussion and closure of the Conference (Session 3)

Moderator: Mr Vasyl Kostrytsya, ILO National Coordinator in Ukraine

4.1. General discussion

The plenary enabled participants to reflect on the DWCP for Ukraine and discussions and presentations at the workshop.

Mr Volynetz, Head of the CFTU expressed concern about the working poverty and limited opportunities for decent work highlighted in the DWCP. While the legislative framework in Ukraine is well-developed and falls in line with many international labour standards, in practice application of the law is often lacking. He cited reports that in the mining industry, salaries are calculated using a base well below the minimum wage and trade union efforts have had no effect. Monitoring decent work in Ukraine will help focus attention on realizing the DWA, by raising awareness on decent work deficits, the efforts of the social partners can be channeled. Strengthening social dialogue will enhance efforts to promote decent work for all.

Representatives from employers' organizations expressed concerns over earnings and wage arrears reported in the DWCP as well as the rising numbers of underemployed. State support for employment promotion, including strengthening the capacity of uncompetitive enterprises with a high social value as well as promoting tripartite dialogue at all levels were raised as possible ways forward.

Representatives from both trade unions and employers' organizations agreed that greater state intervention was needed to ensure that workers received at least minimum wages and, along with the representative of the National Conciliation and Mediation Service of Ukraine, that strengthening capacity of the social partners to conduct tripartite and bipartite dialogue would be useful.

Mr Den'gin, Director of the National Occupational Safety and Health Research Institute expressed concern over decent work deficits in the area of occupational safety and health. He argued that programmes were needed to improve safety in the workplace and that many factories needed to update their equipment to meet contemporary standards.

Ms Kiryan, Director of the Research Institute of Labour and Employment recalled the difficulty and complexity of developing appropriate indicators to measure decent work. She found the DWIs developed and used in the DWCP for Ukraine to be very useful for monitoring the labour market, particularly in the current economic and financial crisis.

Ms Ivanova, ILO/UNDP Project Manager commented on the MDG Indicators grouped under MDG Target (1.b): "achieving full and productive employment and decent work for all, including men women and young people". These indicators covering labour productivity, employment rates, working poverty and vulnerable workers. She promoted efforts at greater collaboration between the ILO and the UN in the area of decent work.

Ms Solop, a representative of the SSCU, congratulated all those involved in compiling the DWCP for Ukraine, which she viewed as a great success. She was confident that the technical cooperation, feedback and development of methodologies used to calculate the DWIs would be invaluable for future monitoring and in generating national labour market statistics.

Mr Mantsurov, Director of the Scientific and Research Institute of Economics, Ministry of Economy of Ukraine, raised the possibility of sharing the DWCP with Ukraine's Minister of the Economy. Mr Mantsurov was an expert involved in developing the DWCP and promoted greater collaboration between government institutions in realizing the DWA.

4.2. Summary and conclusion. Closure of the Conference

On behalf of the ILO, Mr Kostrytsya, congratulated all those involved in the DWCP for Ukraine and emphasized its importance in understanding the labour market and making progress towards the DWA. He welcomed the invaluable input provided by government, workers' and employers' organizations as well as NGOs and independent experts. He recognized the tremendous teamwork that had gone into collecting data for the DWIs and Legal Framework Indicators. He went on to thank all those who had taken part in the conference for their interest in the DWCP and for the lively discussions. In closing, Mr Kostrytsya noted that a number of follow-up activities had been identified during work on the DWCP and that the ILO looks forward to future collaboration with constituents and stakeholders in implementing the DWA.

Representatives from the Government, Employers' and Workers' Organizations thanked the ILO for their support in developing the DWCP and expressed their hopes for future collaboration in this area.



Participants of the Conference taking active part in the discussion

Annex I. Conference programme

National Tripartite Conference Presentation of the Decent Work Country Profile: DW Measuring Indicators

Kiev, Ukraine
27th April 2011
Hotel Turist, str. Raisy Okipnoi 2
Number of participants: 60 (65)

08.30 – 09.30	Registration of the participants
09.30 – 09.45	Opening statements: Mr V'yacheslav Kolomiets , Deputy Minister of Labour and Social Policy of Ukraine Mr V'yacheslav Bykovets , Deputy head of Joint Representative Body of Employers Side at the national level, Acting President of VOST Trade Unions representatives Mr Vasyl Kostrytsya , ILO National Coordinator in Ukraine
09.45 – 10.20	Presentation of the ILO Programme on Measuring Decent Work Mr Nikolai Rogovsky, Mr Igor Chernyshev , ILO Geneva
10.20 – 10.40	Questions/ Discussion
10.40 – 11.10	Coffee-break
11.10 – 12.00	Presentation of the Decent Work Country Profile Mr Victor Ivankevych , National researcher, Ukraine Major finding and possible follow-up. Mr Igor Chernyshev , ILO Geneva
12.00 – 13.00	Questions/ Discussion
13.00 – 14.00	Lunch
14.00 – 16.00	General Discussion Wrap up session. Conclusion Closure of the Conference.

Annex II. List of participants

N	Name	Sex	Organization	Position
1	V'yacheslav Kolomiets	M	MLSPU	Deputy Minister
2	Sergiy Raybokon	M	MLSPU	State Expertize of Working Conditions of Ukraine – Chief State Expert on working conditions of Ukraine
3	Olga Pylypchuk	F	MLSPU	Deputy Director, Department of Social Insurance and Partnership
4	Olena Golovata	F	MLSPU	Chief Specialist, Department of International Relations
5	Vitaliy Ryabuha	M	MLSPU	Head, Statistic Information Unit, State Employment Centre
6	Vitalina Korkushko	F	MLSPU	Chief specialist, Unit of working hours, setting of work quota and vocational classification, Wage Department
7	Lesya Rymzha	F	MLSPU	Chief specialist, Unit of legal employment and labour market development, Department of employment policy and labour migration
8	N/a	N/a	Ministry of Economy of Ukraine	N/a
9	N/a	N/a	Ministry of Justice of Ukraine	N/a
10	N/a	N/a	Ministry of Justice of Ukraine	N/a
11	Alla Solop	F	SSCU	Deputy Head of Labour Statistics Department, Head of the Wage Statistics Unit
12	Oksana Kogut	F	SSCU	Senior economist, Wage Statistics Unit, Labour Statistics Unit
13	Nataliya Vlasenko	F	SSCU	Deputy Head
14	N/a	N/a	State OSH Service	N/a
15	N/a	N/a	State OSH Service	N/a
16	Vasyl Ivanchak	M	State Labour Inspection	Deputy Head
17	Olena Konovalova	F	State Labour Inspection	Head of the Department on Surveillance over Labour Law Observance
18	Valentina Latik	F	FSIAD	Head of the Department on Preventive Measures and Insurance Expertise
19	Bronislav Morozovych	M	National Tripartite Socio-Economic Council under the President of Ukraine	Deputy Head, Secretariat
20	Olena Bobryk	F	National Tripartite Socio-Economic Council under the President of Ukraine	Press – Secretary, Secretariat
21	Nataliya Andrianova	F	NCMSU	Head, Department of Analytical and Information Work and Prognosis
22	Ruslan Dymenko	M	NCMSU	Chief specialist, Department of Analytical and Information Work and Prognosis
23	V'yacheslav Bykovets	M	Join Representative Body of Employers Side at the national level	Deputy Head, Acting President of VOST

24	D. Tretyakov	M	Join Representative Body of Employers Side at the national level	Head of the Board of All-Ukrainian Employers Association of Construction, design and Architecture Sector
25	L. Polyakov	M	Join Representative Body of Employers Side at the national level	Executive Director of International Employers Organization of Enterprises of Railway Transport Sector "Federation of Railwaymen of Ukraine"
26	I. Mahonya	M	Join Representative Body of Employers Side at the national level	Deputy Head of the Board of Mining Sector Employers of Ukraine
27	N. Petrakivska	F	Join Representative Body of Employers Side at the national level	Assistant to the Deputy Head Mr O. Shevchenko
28	M. Rozhankovsky	M	Join Representative Body of Employers Side at the national level	Deputy Head of the Board of All-Ukrainian Employers Association of Construction, design and Architecture Sector
29	V. Veryzhenko	M	Join Representative Body of Employers Side at the national level	Deputy Director of the Department of Socio-Economic Policy of the FEU
30	V. Rashutin	M	Join Representative Body of Employers Side at the national level	Deputy Director, Department of Economic Analysis of All-Ukrainian Sectoral Association of Employers Organization of Coal Industry
31	Y. Pavlovskiy	M	Join Representative Body of Employers Side at the national level	Deputy Director of the Institute of Information Society
32	I. Sargyan	F	Join Representative Body of Employers Side at the national level	Head of the Department State Enterprise "Orifeim Cosmetics Ukraine"
33	A. Zhdanov	M	Join Representative Body of Employers Side at the national level	Deputy Executive Director of Regional Federation of Employers of Zaporizka Oblast
34	O. Telega	F	Join Representative Body of Employers Side at the national level	Head, Hr Department "FARMAK"
35	Andriy Skulbeda	M	Association of Employers Organization of Ukraine	Director of the Organizational Department
36	Sergiy Val'kov	M	Association of Employers Organization of Ukraine	Director of the Department of Socio-Economic Policy
37	Sergiy Ukrainets	M	FTUU	Deputy Head
38	Vasyl Andreyev	M	FTUU	Deputy Head, TU of Workers of Construction Sector and Building Materials Industry of Ukraine
39	Vasyl Levchenko	M	FTUU	Deputy Head, TU Machine-Building and Instrument Engineering
40	Oleksandr Ryabko	M	FTUU	Deputy Head, TU of Metallurgic and Coal Industry of Ukraine
41	Bogdan Overkovs'ky	M	FTUU	Chief Specialist, TU of Metallurgic and Coal Industry of Ukraine
42	Sergiy Gerus	M	FTUU	Deputy Head, Kiev Regional Board of TU
43	Volodymyr Tsehmeistruk	M	FTUU	Secretary, TU of Automobile and Agricultural Machine Building Sector of

				Ukraine
44	Luidmyla Ostapenko	F	FTUU	Deputy Head of Socio-Economic Department
45	Yulia Vitiuk	F	FTUU	Head, Wage Unit of Socio-Economic Department
46	Valentyn Matsiyashko	M	FTUU	Deputy Head of OSH Department
47	Iryna Potapova	M	FTUU	Chief Specialist of Socio-Economic Department
48	Mykhailo Volynets	M	CFTU	Head
49	Natalia Levytska	F	CFTU	Head, Department of Social- Industrial Relations
50	Oksana Abbud	F	CFTU	Head, International Relations department
51	Yuriy Kurylo	M	All-Ukrainian Association of Workers Solidarity	Vice-President
52	Yevgen Puzyr	M	All-Ukrainian Association of Workers Solidarity	Head of Auditing Committee
53	Valentyna Demchenko	F	All-Ukrainian Association of Workers Solidarity	Member
54	Viktor Ivankevych	M	Institute for Development of Social Insurance and Lending	Director – General
55	Lisogor Larysa	F	Institute for Demography and Social Studies, NASU	Head of the Department of Labour Economics
56	Vladyslav Shyshkin	M	Institute for Demography and Social Studies, NASU	Senior scientific researcher, Department of the research of population's life quality
57	Iryna Novak	F	Institute for Demography and Social Studies, NASU	Senior scientific researcher, Department of Labour Economics
58	Iryna Derevyanko	F	Institute for Demography and Social Studies, NASU	Senior economist of the Department of social-demographic statistics
59	Svitlana Zhovnur	F	Institute of Economics and Forecasting, NASU	Senior scientific researcher of the Department of labour socio-economic issues
60	Inna Maneluik	F	Institute of Economics and Forecasting, NASU	Chief economist of the Department of labour socio-economic issues
61	Tetyana Kiryan	F	Research Institute of Labour and Employment	Director
62	Lydia Koleshnya	F	Research Institute of Labour and Employment	Head, Department of Job Places, Vocational Orientation and Staff Training
63	Leonid Il'chuk	M	Center for Advanced Social Research, MLSPU, NASU	Director
64	Gul'barshyn Chepurko	M	Centre of Social Expertise, Institute of Sociology of the NASU	Senior Researcher, Department of Social Expertise
65	Yuriy Privalov	M	Centre of Social Expertise, Institute of Sociology of the NASU	Director
66	Anatoliy Dengin	M	National OSH Research Institute	Director
67	Volodymyr Prohorov	M	National OSH Research Institute	Head of the Sector
68	Vasyl Kostrytsya	M	ILO	National Coordinator in Ukraine
69	Nikolai Rogovsky	M	ILO	Senior Economist, Policy Integration Department

70	Igor Chernyshev	M	ILO	Head of Yearly Indicators Decent Work Data Production Unit, Department of Statistics
71	Larysa Savchuk	F	ILO	National Focal Point on HIV/AIDS
72	Sergey Savchuk	M	ILO/EC	National Project Coordinator Gender Equality in the World of Work
73	Olga Lytvyniuk	F	ILO/EU	National Coordinator, Project "Improving Safety and Health at work through DWA"
74	Tetyana Minenko	F	ILO	Consultant
75	Galyna Mescheryakova	F	ILO/EC	Project Assistant Gender Equality in the World of Work
76	Olena Ivanova	F	ILO/UNDP	Project Manager

Annex III. List of media representatives accredited for the Conference

Name of the mass-media	Number of representatives
Magazine "Employer"	3
Newspaper " Governmental courier"	1
Newspaper "Work and earnings"	1
Newspaper "Work protection"	3
Magazine "Occupational safety"	1
Magazine "Ukrainian atomic scientist"	1
Magazine "Social Protection"	1
Magazine " Man and work"	1
Media centre of FTUU	1
Newspaper "Aspect"	1
Newspaper "Youth of Ukraine"	1
National radio company of Ukraine	1
Newspaper "Youth courier"	1
Newspaper "Pension Fund announcer"	1