



International
Labour
Organization

Project is implemented by
International Labour Organization



Project is funded
by European Union

***EU-ILO PROJECT
TOWARDS SAFE, HEALTHY AND DECLARED WORK IN UKRAINE***

Project Steering Committee

Terms of Reference

*Approved by the Project Steering Committee
at its 1st meeting on 28 May 2020*

I. Introduction

The EU-ILO project [“Towards safe, healthy and declared work in Ukraine”](#) aims at promoting safe, healthy and declared work in Ukraine. The expected short-term impact is an improved compliance of Ukraine with key International Labour Standards on OSH and labour relations. The two outcomes to be achieved by the end of the project are (1) Legal framework on OSH is brought closer to international labour standards and (2) Systems and procedures for a roll out of labour inspection services are in place.

The project addresses specific needs identified by the EU and national stakeholders and builds on the achievements of the first phase of the project [“Enhancing the Labour Administration Capacity to Improve Working Conditions and Tackle Undeclared Work”](#). Despite the progress and results achieved in the first phase regarding alignment of national legislation with International Labour Standards and EU rules, awareness raising on undeclared work, and the capacity of labour inspectors and other stakeholders’ officials, numerous challenges remain.

In particular, additional technical assistance is needed for the implementation of the “Concept of the Labour Protection Management System Reform” which forms the basis of this proposal and was recently approved by the Ukrainian Cabinet of Ministers. In essence, the proposed phase II will continue to work on the alignment of relevant Ukrainian legislation with the International Labour Standards (ILS) and EU acquis on Occupational Safety and Health (OSH), labour relations, and labour inspection.

In addition, technical support is needed for the implementation of the National Action Plan to Fight Undeclared Work, as well as for the effective implementation of ILO Conventions C81 and C129 on labour inspection and improvement of Ukrainian system of labour inspection effectiveness in enforcing the law.

In order to achieve the above, the project will provide in-depth knowledge to legislative actors on EU legislation (EU OSH and labour relations directives), International Labour Standards (ILO C81, C129 and R198) and flexible work arrangements. In addition, it will provide technical assistance to the drafting of laws/regulations (transposing 8 EU OSH Directives, implementing 3 legislative measures foreseen in the Action Plan to Fight UDW and aligning labour inspection system with ILO C81 and C129), as well as to its submission and advocacy.

It will also continue the on-going communication campaign, focused on raising awareness and understanding regarding UDW.

The Project shall set up a **Steering Committee (SC)** 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, if necessary, proposing adjustments to the workplan in order to ensure the fully achievement of the project objectives.
2. To serve as a platform for updating the tripartite constituents 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 and Protection of Veterans' Rights
 - b) Committee on European integration
 - c) Committee on Economic Development
 - **Government of Ukraine:**
 - a) Government Office for Coordination of the European and Euro-Atlantic Integration
 - b) Reforms Delivery Office of CMU
 - c) Ministry for Development of Economy, Trade and Agriculture of Ukraine
 - d) Ministry of Social Policy of Ukraine
 - e) State Labour Service of Ukraine
 - f) State Regulatory Service
 - **Employers' organizations:**
 - a) Federation of Employers of Ukraine
 - b) Association of Employers' Organizations
 - c) Confederation of Employers of Ukraine
 - **Worker's organizations:**
 - a) Federation of Trade Unions of Ukraine
 - b) Confederation of Free Trade Unions of Ukraine
 - **Secretariat of the National Tripartite Socio-Economic Council**
 - **European Union Delegation to Ukraine**
 - **International Labour Organization**

2. Each organization will designate the person(s) that will represent it. Any changes shall be promptly communicated to the secretary of the SC, in writing, at least 5 days before their entry into effect.
3. **Chair.** The SC shall be chaired by the Deputy Minister for Development of Economy, Trade and Agriculture of Ukraine, whose mandate includes the issues of labour market, labour relations, occupational safety and health, undeclared work and labour inspection.
4. **Deputy-chair.** The SC Chair should appoint two Deputy Chairs to help her/him managing the SC, as well as to ensure her/his substitution whenever s/he cannot attend to the meetings.
5. **Secretary.** The National Project Coordinator and Project Assistant will act secretaries of the SC.
6. The total number of SC members shall be up to 26 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 and, at least, 5 working days in advance.
3. Formal minutes of the SC meetings will be drafted and kept by the Secretary and shared with the SC members.
4. The SC will take decisions by consensus and strive for a compromise between the different positions of its members.

V. Final dispositions

1. The SC members may modify, on a consensus basis, the present Terms of Reference.
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 the SC.

TOWARDS SAFE, HEALTHY AND DECLARED WORK IN UKRAINE

ilo.org/shd4Ukraine

1

Legal framework on OSH and undeclared work is brought closer to international labour standards

- ▶ 1.1 Draft legal acts to transpose EU OSH directives 89/391/EEC, 89/654/EEC, 2009/104/EC, 89/656/EEC, 2003/88/EC, 92/57/EEC, 92/58/EEC, 1999/92/EC
- ▶ 1.2 Advocacy roundtables with legislative actors on EU OSH Directives
- ▶ 1.3 Training sessions on fighting undeclared work
- ▶ 1.4 Draft legal acts aimed at implementing the Action Plan to fight UDW (ILO Rec 198, Directives 2003/88/EC, 97/81/EC, 91/533/EEC)
- ▶ 1.5 Advocacy round tables on undeclared work for legislative actors

2

Systems and procedures for a roll-out of labour inspection services are in place

- ▶ 2.1 A labour inspection statute (recruitment, training, career, powers, procedures, etc.) drafted and validated
- ▶ 2.2 Trainings for labour inspectors on new legal frameworks and their implications for their work
- ▶ 2.3 Labour Inspection campaign on UDW rolled out, preceded by a communication campaign
- ▶ 2.4 Draft of an improved data collection system for LI provided