



On March 24, the Law of Ukraine “**On the Organization of Labor Relations under Martial Law**” came into force. www.zakon.rada.gov.ua/laws/show/2136-20, as of 01.07.2022, changes were made.

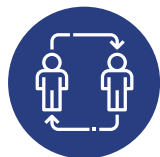
The Law regulates labor relations between employees and enterprises, institutions and organizations, as well as persons working under an employment contract with individuals during martial law.

Fixed-term labor contracts



The employer may conclude fixed-term employment contracts with new employees for the period of martial law or for the period of replacing a temporarily absent employee to eliminate staff shortages and labor shortages (Article 2).

Transfer of an employee to another job



The employer may transfer the employee to another job without his/her consent, if it is necessary to prevent the consequences of hostilities or other dangerous circumstances, with a salary not less than the average for the previous job

Termination of the employment contract at the initiative of the employee



An employee may terminate an employment contract on his or her own initiative within the period specified in the application in connection with the conduct of hostilities in the areas where the enterprise, institution or organization is located and the existence of a threat to life and health, except for forced involvement in socially useful work under martial law or at critical infrastructure facilities (Article 4).

Termination of an employment contract at the initiative of the employer



It is allowed to dismiss an employee at the initiative of the employer during the period of temporary disability, as well as during the period of vacation (except for maternity leave and leave to care for a child until the child reaches the age of three) (Article 5).

Duration of work and rest periods



The normal working hours during martial law may be increased to **60 hours per week** for employees working at critical infrastructure facilities (in the defense sector, public utilities, etc.). Employees working in critical infrastructure facilities who are subject to reduced working hours may not work more than **40 hours per week** (Article 6).

Work at night time



During the period of martial law, the following persons shall not be engaged in night work without their consent: pregnant women and women with children under 1 year of age, persons with disabilities who are medically contraindicated to work at night (Article 8).

Peculiarities of attracting women and employees with children to work



During the period of martial law, the employment of women (except for pregnant women and women with children under 1 year of age) with their consent is allowed in heavy work and work with harmful or dangerous working conditions, as well as underground work (Article 9).

Labor payment



Salary is paid to the employee on the terms and conditions specified in the employment contract. The employer must take all measures to ensure timely payment of wages. The employer is released from liability for violation of the obligation to pay wages if it proves that the violation occurred as a result of hostilities or other force majeure circumstances. If it is impossible to pay wages in a timely manner as a result of hostilities, the payment period may be postponed until the enterprise resumes its operations (Article 10).

Vacation days



During martial law, an employer may limit an employee's annual vacation to **24 days**. If the vacation is more than 24 calendar days, the unused days are carried over to the post-war period. Also, during martial law, an employer may refuse to grant any type of leave (except for maternity and childcare leave) if the employee is involved in work on critical infrastructure facilities. An employee may be granted an indefinite unpaid leave of absence for the period specified in the employee's application (but not more than 90 calendar days) who has left Ukraine or has become an internally displaced person (Article 12).

Suspension of the employment contract



Suspension of an employment agreement means a temporary cessation of employment by the employer and a temporary cessation of work by the employee under the concluded employment agreement in connection with the armed aggression against Ukraine. In such a situation, both parties cannot fulfill their obligations under the contract. Suspension of the agreement is formalized by an order (instruction) of the employer.

An employment agreement may be temporarily suspended for a period not exceeding the duration of martial law, and this does not entail termination of the employment relationship.

If the suspension was canceled before the termination of martial law, the employer must notify the employee of the need to return to work 10 calendar days before the resumption of the employment contract (Article 13).