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PROCEDURE FOR REVIEWING COLLECTIVE LABOR DISPUTES

One type of social conflicts is a labor conflict, the nature of which is associated with the use of labor and labor relations.

Labor conflict is a conflict in the field of labor relations with regard to the means of labor protection, the level of wages, the use of professional and intellectual potential, various elements and factors of the labor process (organization, content, working conditions, etc.), caused by the opposite of interests [4, p. 41].

By parties, labor disputes are divided into individual and collective. In the first case, the parties are the employee and the employer. In the second case, it depends on its level, so the parties may be employed by employees of the enterprise, the union of employees, trade unions, union unions, other authorized employees by the authorities on the one hand, and the employer, the association of employers or their representatives, on the other hand .

An important role in the process of settling collective labor disputes plays the interaction of parties social and labor relations.

In Ukraine, the Law "On the Procedure for Solving Collective Labor Disputes (Conflicts)" was determined by the legal and organizational foundations of the system of measures for solving collective labor disputes (conflicts). This law makes it possible to exclude spontaneity in the consideration of collective labor disputes and is aimed at preventing collective labor disputes [2, p. 318].

The procedure for reviewing collective labor disputes involves two stages. At the first stage, collective labor disputes are resolved through conciliation procedures. This includes consideration of the dispute by conciliation commissions and labor arbitration [3]. At the stage of conciliation procedures, independent mediators and representatives of the National Mediation and Reconciliation Service may be involved in the

resolution of the dispute. The second stage in resolving collective labor disputes is the strike.

Labor legislation of Ukraine provides for four bodies that promote reconciliation of the parties: the Conciliation Commission, labor arbitration, the independent mediator and the National Mediation and Reconciliation Service. If the Conciliation Commission and labor arbitration have clearly defined powers and begin to participate in the settlement of the dispute in the manner and within the timeframe prescribed by law, the independent mediator and representatives of the National Mediation and Reconciliation Service may take part in the resolution of the dispute at any time. Legislation does not set the timing and order of their work to facilitate the parties in search of a compromise.

Independent intermediaries may also take part in the resolution of collective labor disputes, that is, determined by the common choice of the parties who facilitate the establishment of interaction between the parties, conduct negotiations, participate in the elaboration of a mutually acceptable solution by the conciliation commission.

The ultimate means for resolving a collective labor dispute is to declare a strike. According to N. Shvets, strike must be the last resort to meet the demands of employees. In case of defeat, the parties must stop further actions, regardless of the loser - the employer or hired employee [5, p. 96].

Mostly strikes are due to gross violation of the employers' right to timely payment of wages, due to the existence of wage imbalance.

It should be noted that the legislation imposes certain restrictions on the right to strike. These restrictions apply to persons performing vital functions, that is, their work is related to such activities whose stopping will endanger the life, the environment, the safety of the population or a certain part of it, national interests and may lead to the destruction of the national economy.

Consequently, the parties to the collective labor dispute (conflict), must use for the settlement of collective labor dispute (conflict) all opportunities that are not prohibited by law.

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PROGRESSIVE GAP OF YOUTH EMPLOYMENT

Youth unemployment rate is lower in Ukraine than the EU average indicator –15% youth unemployment in Ukraine as compared to 22% EU average. Temporary contracts and part-time employment in Ukraine – which are considered as insecure forms of employment – are also not manifested with high rates in Ukraine, and there is no evidence that insecure employment is observed among the young disproportionately more often than among the old. For instance, temporary contracts constitute about 4,6% among recent school leavers compared to 26% EU average, part-time employment – 5,3% compared to 13,3% EU average. For example, in Poland, Italy, Spain and Portugal, temporary contracts among the young constitute more than one half; part-time jobs are most spread in the Netherlands – about 44% of all recent school leavers' employment. These types of employment arise because the employer is shifting the risk related to the uncertainty of the global market toward the employee. Youth is over-represented in the temporary jobs in the majority of the European countries because the young entrants of the labour market are less experienced and lack professional networks and reputation (OECD 2014). But the situation is different with respect to part-time contracts. Ukrainian youth labour