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To cite this article: Kovalenko Ruslan, Mykola Inshyn, Yuliia Hryshyna, Olena Hubska & Viktoriia Yurovska (2023) History of the origin and development of the trade union movement in Ukraine, Cogent Arts & Humanities, 10:1, 2173553, DOI: [10.1080/23311983.2023.2173553](https://doi.org/10.1080/23311983.2023.2173553)

To link to this article: <https://doi.org/10.1080/23311983.2023.2173553>



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Published online: 15 Feb 2023.



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Received: 27 November 2020
Accepted: 20 January 2023

*Corresponding author: Kovalenko Ruslan, Faculty of Law, Taras Shevchenko National University of Kyiv, Ukraine
E-mail: st.line@ukr.net

Reviewing editor:
Samuel Adu-Gyamfi, History and Political Studies, Kwame Nkrumah University of Science and Technology College of Arts and Social Science, Ghana

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HISTORY | REVIEW ARTICLE

History of the origin and development of the trade union movement in Ukraine

Kovalenko Ruslan^{1*}, Mykola Inshyn², Yuliia Hryshyna², Olena Hubska³ and Viktoriia Yurovska⁴

Abstract: The article considers the influence of various factors on the state of the trade union movement in Ukraine. The place and role of trade unions in the socio-political life of Ukraine, changes in the strategy and tactics of Ukrainian trade unions in accordance with the political and socio-economic situation in Ukraine are determined. Peculiarities of development of legislation on trade unions on the territory of Ukraine taking into account the political and legal system of a historical period are considered. The article pays special attention to the stages of formation and genesis of the trade union movement on the modern territory of Ukraine, which includes: *the first stage*—the emergence of the trade union movement on the territory of modern



Kovalenko Ruslan

ABOUT THE AUTHORS

Kovalenko Ruslan - Candidate of Law, Assistant Professor of Labor Law and Social Security Law. He gained proper communication skills during scientific, teaching and practical activities. Experience as a specialist in the implementation of European social security acts in national legislation.

Mykola Inshyn- Doctor of Law, Head of the Department of Labor Law and Social Security Law. He gained proper communication skills during scientific, teaching and practical activities. He gained the appropriate organizational skills working part-time for more than 8 years as the head of the legal department at the company. Experience as a lecturer Participated in the development of draft regulations.

Yuliia Hryshyna. - Doctor of Law, Professor of the Department of Labor Law and Social Security Law, Taras Shevchenko National University of Kyiv. Member of the commission on law of the scientific-methodical commission on higher education of the Ministry of Education and Science of Ukraine. Judge of the permanent Arbitration Court of the self-regulatory organization Professional Association of Registrars and Depositories.

Viktoriia Yurovska - Doctor of Law, the total length of service as a judge is over 12 years, in particular: 2005-2010 - as a judge of the Dniprovsky District Court of Kyiv; since 11.2010 - as a judge of the Kyiv Administrative Court of Appeal; from 10.2018 - transferred to the position of a judge of the Sixth Administrative Court of Appeal. In 2002 she received a doctorate in law. By the decision of the Attestation Board dated 25 January 2013, he was awarded the academic title of associate professor of the Department of Criminal Law.

PUBLIC INTEREST STATEMENT

The article is devoted to the study of formation and development of the trade union movement in modern Ukraine covering a huge amount of data on the history of trade unions for a century and a half in different legal and socio-economic conditions. There are four main periods of formation of the trade union movement. The article defines prerequisites for the formation, which are historical, legal, scientific, political, socio-economic and international, starting from the XIX century and ending with modernity. The preconditions for the formation and development of the trade union movement, which are historical, legal, scientific, political, socio-economic and international reasons, ending in modernity, are considered. Such facts make it possible to trace the genesis of development and understand its purpose and importance of the trade union movement in labor relations in general.

Ukraine; *the second stage*—the development of the trade union movement in the tsarist period of the Russian Empire; *the third stage*—trade union movement during the Soviet regime; *the fourth stage*—trade unions during independence of Ukraine. A number of theoretical conceptions, generalizations and authors' conclusions are formulated allowing us to comprehensively assess the role and activity of the trade unions of Ukraine, their influence on the economic and social policy.

Subjects: Labor Unions; European Union History; Gender and the Law

Keywords: trade unions; society; employees; socio-economic protection; government; state; social policy; social security; wages; standard of living; social guarantees

1. Introduction

To determine the place and role of the trade union in the structure of civil society, it is impossible to ignore the question of the concept and main features of such a society as the initial category for the formation of a complete reasonable characteristic of the structural elements of the whole. Here we immediately encounter a problem. The term “civil society” has acquired its special content in the scientific literature and in the modern interpretation expresses a certain type (state, character) of society, its socio-economic, political and legal nature, the degree of maturity, development. In other words, this concept refers to a state that meets a number of criteria developed by historical experience. At the same time, national scientists, directing most of their efforts to solve the problems of the development of Ukrainian statehood, until recently (approximately – until the 90s of the 20th century) they were ignoring the problem of the formation and development of civil society, which today has the final result of the absence of both legislative provisions on the legal regulation of the relevant issue, and a holistic well-founded concept of civil society in independent Ukraine.

This fact is absolutely understandable, because the presence of Ukrainian lands as part of other states for a long time is the historical prerequisite that today mainly determines, on the one hand, the presence of a large number of works of Ukrainian scientists in the field of state creation, state independence, sovereignty, etc., on the other—the insufficiency of developing the issue of civil society. Moreover, if we analyze the “popular” understanding of civil society, few people can “really explain what it is. The idea put forward, as noted in the press, sounds attractive, but incomprehensible to the vast majority of the population.”

At the same time, it would be unfair to ignore the fact that when developing the Constitution of Ukraine, a proposal was put forward to approve the section “civil society” as a self-governing, structured, non-state part of the people. Such a proposal has never been implemented, because “we do not yet have a perfect statehood, and we have never had a civil society in its European sense”. At the same time, this attempt should not be ignored, especially since the problem has not been solved today.

The formation of civil society has always been somehow connected with the problems of improving the state, raising the role of law and order. The ideas of civil society about the reasonableness and justice of power, freedom and well-being of the individual correspond to unity of law and order, legal delimitation of the activities of different branches of government. Civil society on the path to legal development is developing together with the state. A state governed by the rule of law can be considered the result of the development of civil society and a condition for its further improvement.

At the same time, it should be noted that public associations belong to a certain extent not only to the structure of civil society, but also to the state. Their mutual significance is quite difficult to overestimate. Due to social activity, civil associations have the opportunity to form and express

a public position in relation to certain social processes, phenomena, and certain individuals. At the same time, public associations as structures of the civil society system not only demonstrate such positions, but also have the opportunity to exercise corrective influence. “Trade unions, being organizations that protect the economic and social interests of employees, are also an important institution of civil society, designed to represent, express and protect the interests of employees as citizens. Their role in civil society is determined by the degree of empowerment and expansion through their actions and struggle of civil rights and freedoms of employees, the establishment and development of social partnership practices and the promotion of trade union self-government.” In their turn, the state, through laws that are generally binding, coordinates (directs) the activities of civil associations in a certain way.

As for the real state of development of trade unions in Ukraine as an element of the structure of civil society, first of all, it should be noted that the formation of the modern national trade union movement differs from global trends in time. The prerequisite for this is the later formation of Russia on the path of capitalist development. Trade unions emerged in Russia relatively late, namely at the beginning of the XX century.

During the Soviet era, trade unions were included in the state apparatus as conductors of state policy, but today their independence from both employers and the state is proclaimed. All these subjects of labor law build their relationships on the principles of mutual respect, mutual understanding, and compromise. Changes in the basic requirements of interaction between subjects of labor relations unquestioningly affect the further formation of the legal framework for the organization and functioning of trade unions.

Trade unions have overcome a difficult path from creating the first organizations to recognizing their rights by the international community. According to the joint resolution of the Central Executive Committee of the USSR, the Council of People’s Commissars of the USSR and the All-Union Central Council of Trade Unions “On the unification of the People’s Commissariat of Labor of the USSR with the All-Union Central Council of Trade Unions” in June 1933, trade union organizations are aimed at solving the problems of political, educational and cultural work. As a result of this association, as stated by V. I. Prokopenko, trade unions as a public organization began to perform state functions. At the same time, the scientist points out that since the performance of such functions was based on legal and regulatory acts, they acquired the character of authority. In some cases, trade unions began to act on behalf of the state, even issue regulations together with state bodies, and in some cases independently. An example of such independent legal acts was the regulation on the procedure for providing state social insurance benefits or the regulation on the procedure for investigating and recording accidents at work.

In this case, it is groundless to claim that trade unions belong to the number of civil society institutions. But this thesis needs to be clarified: this soviet society has never been and could not be either legal or civil, which determines the functions of Soviet trade unions that are traditionally unusual for similar organizations in other countries.

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Functioning of trade unions is one of the important guarantees of observance and protection of rights and legitimate interests of workers in labour and socio-economic relations. According to the current legislation, a trade union is a voluntary non-profit public organization that unites citizens with common interests in the nature of their professional (employment) activities (training; On

Trade Unions, their Rights and Guarantees of Activity, 1999). However, it took a long time to form the trade union movement in Ukraine and it had its own characteristics. The union of workers took place for a long time and had its own characteristics.

The emergence of the trade union movement in the 1700s confirms that Ukraine has deep democratic traditions and origins that should be used in the development of civil society at the current stage of state formation. The existing trade union movement in the country is a sign of the level of civilization of the state. Therefore, there is every reason to assert their importance not only for the history of trade unions, but for Ukraine as a whole.

The question of the origin and development of trade unions has been the subject of research by many scientists, including V. Prokopenko, F. Tsesarsky, I. Chumachenko, O. Lysyak, O. Reyent, O. Stoyan, B. Andrusyshyn, M. Zima, Yu. Shchotova, Yu. Hryshyna, A. Shakirova, V. Ryabtsev, G. Chanisheva, O. Shemyakov and others.

The genesis of the trade unions from the moment of their origin to the present can be divided into several stages, and each of them has certain specific features. Researchers identify the following periods of development of the trade union movement in Ukraine. Thus, Hryshyna Yu. distinguishes five stages: 1) 1817–1917—the trade union movement in the Ukrainian lands in the times of the Austro-Hungarian Empire, Russia, Poland, Czechoslovakia, Hungary, Romania—from the establishment of the first trade union center in Lviv to the proclamation of the Ukrainian People’s Republic; 2) 1917–1919—trade unions of the Ukrainian People’s Republic before the national liberation struggle; 3) 1919–1990—from the First All-Ukrainian Congress of Trade Unions to the establishment of the Federation of Independent Trade Unions of Ukraine (FITU); 4) 1990—December 2004—trade unions under conditions of Ukraine’s independence; 5) trade unions after Orange Revolution (Hryshyna, 2015).

After legislative recognition of the fact of existence of trade unions at the level, the relevant legislation was constantly evolving together with the trade unions, which certainly affected the legal status of the organizations. In view of this, Tsesarsky F. in his thesis “Protective Function of Trade Unions, Forms of its Implementation” identifies nine stages of development of legislation on trade unions: 1906–1917, 1917–1922, 1922–1933, 1933–1955, 1955–1958, 1958–1965, 1965–1970, 1970–1990, 1991–present (Tarasenko, 2016).

If the trade union movement was formed in the times of pre-monopoly capitalism in Western European countries, trade unions were formed much later on the territory of Ukraine. At the same time, their emergence and development were quite uneven, as the Ukrainian lands were part of various foreign states, including the Russian Empire, and the study managed to identify four stages of formation of the trade union movement in the modern country.

2. Emergence of trade union movement in modern Ukraine

Thus, there is information that an organization called the “Society of Mutual Assistance of Members of the Printing Business” was established in 1817 in Western Ukraine to fight against oppression of employees of the printing company and to protect their interests. Members of this organization also opened a fund for voluntary donations for sick workers. In 1848 the first trade union newspaper “Private Employee” was published in Lviv, which raised issues of working conditions, non-payment of wages and other social problems. On September 8–9, 1895, the first general congress of polygraphers of Galicia took place in Lviv which decided to form the all-Galician professional organization “Fire” (Tarasenko, 2016).

The first trade union organizations began to form in the Ukrainian territories which were under the control of the Russian Empire due to a number of socio-political and economic factors that took place in the second half of the XIX century. The key factor was the abolition of serfdom, which, in turn,

stimulated development of capitalist relations in the sphere of production, construction of large enterprises with a significant number of workers and emergence of new strata of the society.

According to G. Osovyi, with the development of capitalist production, concentration of a large number of workers in one enterprise increased, and greater fragmentation of technological processes, typicality and uniformity of operations objectively necessitated the replacement of daily wages by piecework and the establishment of general wage norms and standard working hours. This period was also characterized by the beginning of mass association of employees in workers' and trade unions to defend their interests (Collective Employment Agreements and Contracts—the Main Form of Protection of Socio-economic Interests of workers, 2002).

Development of industrial production, gradual expansion of the commodity market, and growth of competition in it encouraged employers to constantly reduce the cost of manufactured products. To achieve the above goal, the simplest ways to influence were and remain: savings in labour costs; low wages; increasing working hours; reduction of leave; deteriorating working conditions (Chumachenko, *Functions of Trade Unions at Conclusion of Collective Agreements and agreements in Modern Conditions of Market Economy*, 2005). Thus, the average working time in industry was 12–14 hours, and in some jobs (e.g., construction)—15–17 hours (History of the Working Class of the Ukrainian SSR: In 2 vols.—Vol. 1, 1967).

At the same time, labour legislation did not meet the requirements of the time largely and in no way protected the interests of workers. Legal regulation of labour relations in the XIX century and in the early XX century in most European countries was formally carried out on the basis of unconditional contractual freedom between the employer and the employee (Prokopenko, *Legal Status of Trade Unions: Present and Prospects*,). Social insurance and proper medical care were out of question, as well as long working hours, difficult and/or dangerous working conditions and lack of basic safety rules were the causes of high rates of occupational injuries and deaths of employees. In fact, they became the least protected social group.

Characteristic features of workers in the second half of the XIX century were lack of private property; separation from their peasants' lives and additional sources of material support; concentration in enterprises; and qualification for primary education. This contributed to formation of a higher than the peasants' the degree of corporatism, collectivist consciousness, awareness of their socio-economic interests and the need for social standards, mobility, organization, ability to act jointly in order to achieve socio-economic goal (Veres, 2009). Growing tensions between workers and employers resulted in protests, that were mostly spontaneous and inconsistent. The protests took various forms, including writing complaints to higher authorities, mass discontinued jobs, strikes and political demonstrations. In general, the strikes ended with introduction of troops to restore public order.

At the initial stage of the labour movement, due to the amorphous nature of amateur public associations guarding the interests of workers the functions of regulating the relationship between employees and business owners were completely entrusted to the state. Because the legal framework was far from perfect, and the businessmen constantly resorted to various violations, the government was forced to monitor the implementation of regulations, and its law enforcement agencies had to resolve conflicts when they took criminal forms and endangered not only law and order, but also people's lives (Essays on History of Trade Unions of Ukrainian SSR, 1983).

However, there were cases when the conflict between employers and workers was resolved peacefully and in favor of the latter. After the miners' strike, a special commission was set up at the Ministry of the Internal Affairs to investigate the situation of mines and miners. The results obtained after its work were taken into account in the Act of 1892 "Rules for Supervision, Improvement and Order in Private Mines and Mining Factories and on Hiring Workers for these Mines and Factories." According to this act, labour legislation was applied to mining workers,

a special mining inspection was established;—its task was to supervise the observance of employment contracts by industrialists, and so on (Veres, 2009).

The constant interaction of workers with enterprises, institutions and organizations led them to realizing the need to consolidate their forces to protect their own socio-economic interests. As a result, workers began to form union-like associations. One of such associations was the Union of Working Craftsmen, founded in Kharkiv in 1897. The organization was headed by a body consisting of representatives of the shops who were responsible for contacting the administration of the enterprise, reporting to the central committee, and so on (Veres, 2009).

Thus, the preconditions under which it became profitable for entrepreneurs to conclude agreements not with each individual, but with professional organizations of employees. New working conditions were established with the consent of employees after negotiations and enshrined in collective agreements (Chumachenko, Thesis for Cand. of Legal Sciences: 12.00.05., 2005). Among the first such agreements were a collective agreement signed between workers and owners of a locomotive plant in Kharkiv in 1905, as well as between owners of Kharkiv printing houses and printing workers. The document had legal force and was called “Protocols of Agreements”. However, such practices were not properly regulated at the legislative level. So, claims by workers and their associations that the employers had failed to fulfill their obligations under the collective agreement were not accepted by courts.

3. Development of the trade union movement in the tsarist period of the Russian empire

The driving force behind the mass formation of trade unions was a rally against the tsarist government in January 1905. Trade unions were organized in the form of factory commissions, committees of commissioners, deputies or delegates. Many of these associations were formed on the basis of the law on factory elders, the boundaries of which were expanded under the influence of the revolution with the consent of the enterprise administration and local authorities. These organizations were characterized by the spontaneous nature of their emergence due to the lack of constitutional and civil rights and freedoms and an active position on the use of world trade union experience (Shakirova, 2015). The organization structure of trade unions before 1917 was also based on the shop principle, i.e., the unions at one enterprise were divided on trades, and primary trade union organizations did not exist (Zyma, 1996).

At the end of 1905, the Ukrainian and Russian trade unions established trade union centres, the Central Bureaus of Trade Unions, which later played an important role in consolidating workers and their associations. Such branch and territorial centres will later contribute to trade union legalization. In February 1906, the Second All-Russian Conference of Trade Unions was held. As a result, it adopted a resolution in which the participants of the conference categorically defended freedom of assembly, unions, strikes, coalitions, improving working conditions, and raising wages. At the same time, the Central Bureau of Trade Unions of St. Petersburg initiated the development of a relevant law on trade unions.

The final law “Temporary rules on trade unions, established for persons employed in commercial or industrial enterprises, or for the owners of these enterprises” was signed by the czar on 4 March 1906. It consisted of two parts: the first was about unions and societies of general type formed by all comers; the second established the rules concerning only the professional organizations in trade and industry whose activity was allowed only after registration and statement of the charter, purpose and directions of the union, and definition of its structure (Lysyak, 2004).

The law strictly regulated the powers of trade unions and outlined the principles of organizing their activities. The main direction of their work was to protect the economic interests of employees, in particular: elimination of misunderstandings arising from contractual terms between employers and employees, through agreements or arbitrators; they could find out the amount of wages in various industries and trade, provide financial assistance to their members, and organize

funeral services. The law also allowed them to open their own libraries, provide legal assistance to their members, and assist the latter in finding jobs. Trade unions could be joined by persons who worked in industrial, commercial enterprises, and engaged in repetitive or related types of work (Tsesarsky, 2004).

Tsarist Russia, unable to stop the development of the professional movement and remove the trade unions from the public life, was forced to approve the “Provisional Rules on Societies and Unions.” According to V. Ryabtsev, this document had anti-labour orientation and did not give freedom to unions in their activities (Ryabtsev, 1996). Indeed, a rather complicated method of trade union registration was established, it was forbidden to create regional and sectoral associations, or organize joint meetings and events.

Moreover, the peculiarity of the above law was also that all trade unions in their activities were subject exclusively to the administration. Meetings, boards meetings of unions and all their activities depended exclusively on their will. Thus, due to the legitimate repression and prosecution of the Russian young trade union movement, even those unions whose activities were carried out within the framework of the legal statute and which had no “criminal danger” have been persecuted only because they were trade unions. According to the adopted “Provisional Rules”, it was forbidden for employees of railways, telegraphs, banks and other enterprises and organizations that enjoy the rights of the civil service to unite into trade unions. Moreover, the violation of this article was prosecuted (Lysyak, 2004).

If we compare the content of the “Provisional Rules” with the legislation of European countries, we can conclude that the attitude to trade unions was much more loyal in Europe. This is due to the fact that the tsarist government tried to limit the spontaneously formed during the revolutionary events of the workers’ organization. However, despite the above limitations, the adopted law became the first normative document that legalized trade unions and enshrined the right of workers to form them. Trade unions acquired the status of a legal entity, and the right to enter into transactions, to be property owners, plaintiffs and defendants in court. In essence, the law gave trade unions a special political and legal status that distinguished them from other associations of citizens. The “Provisional Rules” were included in the “Code of Laws of the Russian Empire in 1906”, which testifies to the significance of this law.

Since 1917, a new page in the history of the emergence and development of the trade union movement in Ukraine began. The period from the February Revolution to the final formation of Soviet power is characterized by a constant change of power, and hence the socio-economic policy pursued by the relevant authorities. At the same time, as noted by B. Andrusyshyn, during the national liberation revolution of 1917–1920, the workers’ and trade unions’ movement became the determining factors of the grand social conflicts that arose during the collapse of the Russian Empire and creation of Ukrainian statehood (Andrusyshyn, 1997).

4. Trade union movement during the soviet regime

Along with the revolutionary events of 1917, trade unions and factory committees began to form en masse with the support of the Soviets of Workers’ Deputies. The Factory Committees were formed on the basis of the Decree of the Provisional Government of 23 April 1917 “On Workers’ Committees at Industrial Enterprises” (Solominchuk, 2015.). Factory committees were new elected bodies formed at enterprises on the basis of universal equal suffrage and performed a number of functions, including representative (committees represented the interests of workers in relations with business owners, administration, government agencies and public associations; expressed opinions of the staff on certain socio-economic issues), protective (agreed to carry out overtime work), settlement of labour disputes and cultural and educational activities.

Until 1918, factory committees had existed as separate entities from trade unions. However, by the Regulation of 12 August 1918, they were merged with the trade unions, becoming their

grassroots cells. Now their task was limited to strengthening labour discipline; implementation of the provisions of collective agreements; participation in resolving the issue of recruitment and dismissal of employees; implementation of labour control (Tsesarsky, 2004).

Crisis in the economy caused by the First World War and some actions of the provisional government pushed the unions to introduce control over production and distribution of its results. The development of this new social function enriched the arsenal of means of trade unions in the struggle for workers' rights, preservation of production, solving the problem of employment, etc. (Ryabtsev, 1996).

The trade union movement was consolidated on a new level after the election of the All-Russian Central Council of Trade Unions at the Third All-Russian Conference of Trade Unions in June 1917. This evidenced the unity of the trade union movement throughout the country. At the same time, further development of vertical trade union structures continued (Shakirova, 2015).

At the same time, the Central Rada in Ukraine issued a number of legislative acts that directly affected the activities of workers' organizations: "On Workers' Committees", "On Factory Committees", "On Conciliation Chambers", "On Labour Exchanges". Draft laws on trade unions and strikes were also being drafted (Essays on History of Trade Unions of Ukrainian SSR, 1983). The Charter on the State System, Rights and Freedoms of the Ukrainian People's Republic (UPR) of 1918 (the Constitution of the UPR) enshrined the right to strike, but there was no mention of trade unions, contrary to the constitutions of Western countries (Solominchuk, 2015). Ukrainian political forces primarily sought to address issues related to recognition of national territory, decentralization of governance, and judiciary, and ignored issues related to the trade union movement and labour in general.

However, plans to unite the activities of workers' organizations were thwarted by the October coup, which in fact divided the unions into parts. One part of the trade union movement remained on the side of the Mensheviks and Socialist-Revolutionaries, and the other sided with the radical Bolsheviks. The latter were actively involved in political activities, organized rallies and strikes, and participated in armed demonstrations. Those unions operated mainly in big cities of Ukraine and included railway workers, port workers, sailors, printers, and other employees.

After coming to power, the government of Hetman Pavlo Skoropadsky tried to take control of the socio-economic situation in the country. Thus, on 29 June 1918, the Minister of Labour J. Wagner issued Circular No. 1 "On the Limits of Competence of Professional Workers' Organizations and Business Owners" (Gai-Nyzhnyk, 2002). This legislative act contained a number of ambiguous provisions. On the one hand, it declared the trade unions' right to form coalitions and organize strikes (with certain restrictions). On the other hand, the Circular limited the powers of workers' organizations by protecting the professional interests of workers and arranging their daily lives. A ban was imposed on intervention of workers in recruitment and dismissal, economic and technical measures, and unauthorized control over the production process. The most negative reaction was caused by the provisions on recognition of non-binding collective employment agreements.

By a resolution of 9 December 1918, the Ukrainian Directory repealed all laws and regulations of the Hetman's Government in the field of labour policy. The 8-hour working day was restored, the right to conclude collective agreements, the right to form coalitions and strikes, as well as full rights of workers' factory committees were restored (Ivanov, 2013). The Directory also formed the Chamber of Labour which included representatives of professional, public organizations and entrepreneurs. The task of the Chamber was to provide preliminary expert consideration of the problems and bills within the competence of the Ministry of Labour. However, after the national military formations were withdrawn from the Right-bank Ukraine, the entire territory of Ukraine went under the control of the Soviet regime.

The authorities set a course for nationalization of trade unions, which was reflected in the decision of the First All-Russian Trade Union Congress in May 1919. The Confederation of Free Trade Unions of Ukraine (CFTUU) opposed this. The leaders of the confederation considered the main task of the trade union movement to protect the economic interests of workers, but not economic management. This was reduced to preservation and spread of the democratic gains of 1917: first of all, freedom of coalition, an 8-hour working day, practice of collective agreements, and others (Lysyak, 2004).

The most important regulations in the field of labour in this period were the Labour Code of 1918, General Provisions on Tariffs, Decree on an eight-hour working day, etc., adopted by the highest authorities (Tsesarsky, 2004). The importance of trade unions in regulating working conditions and labour relations in general was growing. The provisions of labour legislation were implemented directly with their participation. After the revolutionary events of 1917, the trade unions ceased to oppose the state power and became its active ally. They became part of the state apparatus, as they transferred some functions of the state, in particular, labour protection, state social insurance, organization and management of competition, and others. Still, this indicated an increase in state pressure on trade union activities rather than an increase in the importance of public influence on state activities. For example, each employee was required to become a member of a union.

This was especially evident during implementation of the *military communism* policy. Trade unions became an active factor in the militarization of the economy, they separated from broad sections of workers, they lost their traditional function of protecting the socio-economic interests of workers. The social role of trade unions as a school of communism was laid down at the IX and X the Russian Communist Party congresses. Any alternative views were not accepted, and coercion and terror were used against those who put them forward (Shakirova, 2015).

All these events contributed to the formation of a new model of trade union activity—revolutionary-class trade unions, which operated under the leadership of the Bolshevik Party. They were characterized by the following features: 1) a rigid focus on Marxist-Leninist ideology; political cooperation exclusively with the communist party; active participation in political struggle; the principle of mutual representation of the leaders of a political party and a trade union in the executive bodies of both organizations; 2) they were obliged to defend the socio-economic interests of the proletariat and to link it with the struggle for the ultimate goal—annihilation of the exploiting society and building of socialism; 3) production principle of operation: one enterprise—one trade union; 4) establishment of workers' control over production by the trade unions, whose task was to weaken the resistance of capitalists and prepare the masses for the role of *expropriators* of private property during the revolution; 5) introduction of *parallel unionism*, i.e. along with trade unions, structures with similar functions were created. Those were factory workers' committees which were later transformed into primary trade union organizations in enterprises; 6) close connection between trade unions and workers' cooperatives. On the one hand, the revolutionary-class unions were to support the workers united in cooperatives. On the other hand, the cooperatives undertook to provide regular assistance to the proletariat on socio-economic issues and to undertake the commercial activities of the trade unions (Bezzub et al., 2005).

4.1. The trade union movement during the Ukrainian revolution

The Ukrainian revolution of 1917–1921 began in the conditions of the revolutionary upheavals that engulfed the Russian Empire in March 1917. The national movement was rising in all regions of Ukraine, Ukrainian authorities, political parties and public organizations were created and operated, and the process of forming trade unions and factory committees was in full swing.

After the February Bourgeois Revolution of 1917, the trade union movement as an integral part of the labour movement became one of the determining factors in the grand socio-economic

transformations that emerged during the collapse of the Russian Empire and the formation of Ukrainian statehood during the Central Rada, Hetmanate and UPR Directory.

In the wake of the national upsurge in March 1917, the Central Council of Ukraine (CCU) was formed, headed by Mykhailo Hrushevsky. On 10 June 1917, it proclaimed the First Universal which stated the need to organize the autonomy of Ukraine. On June 15 of the same year, the Second Universal established the General Secretariat as its executive body. During this period, along with creation of councils as bodies of state power, workers mostly spontaneously formed organizations for conducting economic struggle in the form of workers' factory committees and trade unions. Their main requirements were: introduction of an 8-hour working day and higher wages. They took measures to combat hunger. They tried to establish working control over production. The number and count of trade unions, which were formed mainly in the industrial centres of Ukraine, grew steadily. Thus, by the end of 1917, in Kharkiv their number increased to 50 thousand people, in Odesa—up to 40 thousand, Kyiv—65.7 thousand. In general, the number of trade unions in Ukraine increased to 150, and they united more than half a million workers in their ranks. The Central Bureaus, which later became known as Trade Union Councils, resumed their activities (Ukrainian revolution of 1917–1921 and establishment of national trade union movement. Federation of Trade Unions of Ukraine, без дати).

An important form of workers' organizations in industry were factory committees, which were created en masse at the enterprises of Ukraine. They were built on a production principle outside the trade union movement. In the autumn of 1917, almost all political parties and movements tried to increase their influence on trade unions. The fiercest struggle unfolded between the Bolsheviks and the Mensheviks, which led to the fact that in 1917 in both Ukraine and Russia there was an organizational separation of revolutionary and reformist directions in the labour movement due to the confrontation of social democratic parties.

With the strengthening of trade unions, their members increasingly put forward socio-economic demands. In the struggle for workers' rights, they resorted to mass strikes and protests, and became subjects of labour relations. To resolve labour disputes in Ukraine, after establishment of the General Secretariat, the Department of Labour-Capital Relations began its work, focusing on sugar, mining and small-scale industries. Most conflicts concerned wage increases and establishment of guaranteed minimum wages. Throughout the existence of the Central Council of Ukraine, labour relations and social conflicts were settled by collective labour agreements, which proved to be an effective tool and defined the mutual obligations of the parties. Interpretation of the disputed issues was resolved in conciliation chambers set up on the ground by trade union and employer representatives, and their decisions were binding on both parties. If the parties did not find a consensus on the ground, the case was referred to the Central Conciliation Chamber, and only then did the judiciary intervene.

In the initial period of its activity, the Central Rada, bound by agreements with the provisional government, did little to address the pressing issues of the socio-economic system in Ukraine. After the Bolsheviks seized power in Petrograd, hopes for a democratic system in Russia gradually faded. The Third Universal of the Central Council of Ukraine (CCU) proclaimed the Ukrainian People's Republic (UPR) on 7 November 1917. The General Secretariat became the highest executive body in Ukraine. It laid the foundations of domestic and foreign policy of the Ukrainian People's Republic, defined the borders of the territory of Ukraine, which were recognized by the world's leading states and Bolshevik Russia at the end of 1917.

Despite the difficult political and socio-economic conditions, after the Third Universal, the CCU began to fully support the labour movement and promote unification processes among trade unions. For instance, the All-Ukrainian Workers' Congress convened in Kyiv on July 11–14, 1917, elected the All-Ukrainian Council of Workers' Deputies to establish a national republican trade

union centre. The “Resolution on Organizations” adopted by the Congress became a programme for development of trade unions.

In January 1918, the Central Council of Ukraine declared by the Universal Ukraine’s Independence (Ukrainian revolution of 1917–1921 and establishment of national trade union movement. Federation of Trade Unions of Ukraine, без дати). The UPR was proclaimed “an independent, self-determined, sovereign state of the Ukrainian people.” With the proclamation of the Ukrainian People’s Republic, Ukraine received such an important feature of statehood as legislation. The labour bodies of the Republic worked on labour legislation. The Constitution of the Ukrainian People’s Republic, adopted on 29 April 1918, declared the right of workers to unite in organizations, to hold strikes within the framework of the legislation in force at the time.

In general, the activities of the UPR Government were ineffective, first due to the Bolshevik offensive and then depending on the presence of German and Austrian troops in Ukraine. The German command and diplomats, dissatisfied with the government, contributed to formation of a right-wing anti-government opposition, and to a coup d’état on 29 April 1918. After gaining power, Hetman Pavlo Skoropadsky took advantage of a short period of peace to strengthen the foundations of Ukrainian statehood (Ukrainian revolution of 1917–1921 and establishment of national trade union movement. Federation of Trade Unions of Ukraine, без дати).

In an effort to achieve social peace, the Hetman’s Government established the People’s Ministry of Labour, which confirms his responsible attitude to labour policy. The responsibilities of the Ministry included development of labour legislation, labour protection, protection of workers’ interests, taking measures to increase their productivity, combating unemployment, developing a network of labour exchanges, managing state insurance of workers, and cooperation with trade unions.

The workers’ policy, legally developed by the Social Democratic parties was left unchanged by the government. The Hetman expressed his attitude to labour policy in a *Letter to the Entire Ukrainian People* on 29 April 1918 (Ukrainian revolution of 1917–1921 and establishment of national trade union movement. Federation of Trade Unions of Ukraine, без дати), promising to ensure the rights of the working class, in particular with regard to the legal status and working conditions, and declared his full support for the unions. The factory workers’ committees, local labour commissariats and conciliation chambers, the Insurance Law of 25 July 1917, and the Law on the 8-hour working day of 25 January 1918, issued by the CCU continued their activities.

In mid-May, the Second All-Ukrainian Workers’ Congress was held in Kyiv. It considered, among other issues, the problems of the trade union movement. He supported a moderate revolutionary-democratic programme, rather than a course for a socialist revolution, and failed to consolidate trade unions under the national flag. And on 21 May 1918, the All-Ukrainian Conference of Trade Unions was convened. The trade union movement of Ukraine was organizationally prepared for unification on an all-Ukrainian scale, creation of its own trade union structures and bodies. The governing body of trade unions was elected—CFTUU and inter-branch territorial trade unions.

The First All-Ukrainian Conference approved a broad programme of All-Ukrainian Trade Union structure and self-government. It opened a new page in Ukrainian history of mass trade union movement, developed a number of principal provisions on definition of the social role and tasks of trade unions. On 15 July 1918, the Hetman took a step toward the liberalization of politics and formed the Labour Committee as an advisory interdepartmental body under the Ministry of Labour, where bills concerning the relationship between workers and employers were previously discussed.

Attempts of the Ministry of Labour to establish limits of competence of the workers’ organizations and owners of the enterprises caused sharp opposition of trade unions and led to a 200-thousand strike of railway men. The opposition intensified especially after adoption of legislation

restricting revolutionary conquests: closure of trade unions, dissolution of factory committees and restrictions on their functioning, prohibition of strikes, increasing the working day to 12 hours, abolition of income tax, and others. During this period, trying to save a highly unbalanced economy, Skoropadsky came under pressure from industrialists and exclusively took their side. Local authorities launched repressions against labour leaders, trade unionists (arrests, searches, closure of trade union media) (Ukrainian revolution of 1917–1921 and establishment of national trade union movement. Federation of Trade Unions of Ukraine, без дати).

In November 1918, it became clear that Skoropadsky's proposed socio-economic liberal policy had provoked opposition among workers and their professional organizations, as well as oppositional Ukrainian socialist parties. The leadership of the trade unions was faced with the dilemma of either leading the revolutionary movement of the proletariat or remaining in reformist positions and lagging behind the rapidly evolving events. As a result of the anti-Hetman uprising at the end of 1918, the Directory came to power, which resumed the activities of the Ukrainian People's Republic. The *labour principle* was proclaimed in the organization of public administration, according to it the working people were recognized as the sovereign of power in the UPR, specifying that these were the working classes—workers and peasants. The non-working classes were deprived of any “deciding voice in the government”. In fact, the same socialist parties that led the revolution in the days of the Central Council formed the core of the new government. This meant that the entire programme of the previous regime was rejected. During 1918–1920, the Directory of the Ukrainian People's Republic changed six governments.

The Directory declared its devotion to the interests of the working class. Thus, on 23 December 1918, it repealed Circular No. 1 of 29 June 1918, of the Hetman's Ministry of Labour, which significantly restricted the rights of workers. By the Resolution of December 9, the Directory repealed all laws and regulations of the Hetman's Government in the field of labour policy. The 8-hour working day, collective employment agreement regulations, the right to strike, and the full rights of factory committees were restored.

On December 28, CTFUU addressed the Directory with a Memorandum on the fundamentals of labour policy, in particular the freedom of coalitions, refusal to enforce the registration of trade union statutes, organization of public works for the unemployed, labour protection, and others. After the restoration of the Ukrainian People's Republic, the Directory faced difficult issues of state building. Act of Uniting of the Ukrainian People's Republic with the Western Ukrainian People's Republic (WUPR) (Ukrainian revolution of 1917–1921 and establishment of national trade union movement. Federation of Trade Unions of Ukraine, без дати) testified to the will of the Ukrainian people to unity. The Labour Congress convened by the Directory provided a broad representative base for Ukrainian government. The majority of delegates to the Labour Congress representing the railway and postal workers' unions, which were under the influence of the Ukrainian Social Democrats and had a clear focus on supporting the Ukrainian government, expressed the Directory's full confidence and were in favor of its full authority. In the Universal to the Ukrainian People On 28 January 1919, the Labour Congress adopted the Universal which confirmed the declared principles of the workers' policy of the new government. It was a question of reducing unemployment by restoring industry, of improving the living standards of workers, and of consolidating all the revolutionary achievements of the proletariat.

The Directory Government resumed activities of the Ministry of Labour, whose main task was to protect the workers' interests. A department of trade unions and labor unions of the Department of Labor Protection was established within the structure of the ministry. All this time, the army of the Ukrainian People's Republic together with the Galician army fought hard for the independence and territorial integrity of the country, demonstrating heroism and steadfastness. With the retreat of the UPR army from the Right Bank of the Dnipro river, and later beyond the Ukrainian borders, the further activities of the trade unions took place under the communist regime, until Ukraine gained state sovereignty.

4.2. Organization of the trade union movement in the period of the new economic policy

The organizational structure of trade unions underwent radical changes in 1920–1921. Previously, there were separate unions uniting workers of a certain profession, regardless of their place of work, as well as factory committees at enterprises and institutions. There were 24 branch unions—metalworkers, railway men, watermen, food producers, land and forest workers, health care, education and culture, etc. by the end of 1921 in Ukraine. Sectoral unions were built on the principles of “democratic centralism”, i.e., as centralized organizations, strictly subordinated to the relevant Central Committee. The status of an independent republic of Ukraine was reflected in the formation of a Southern Bureau of the Central Committee in each union with insignificant prerogatives or an authorized Central Committee with even more limited functions. Branches of branch unions were formed in the provinces, and divisions in the counties. District offices were organized in the places of concentration of a significant number of enterprises in this industry. Local trade union bodies in trade unions were named factory committees, in mines—mine committees, in mines—mining committees, on railways—division committees. In non-productive unions they were called local committees. The reorganization of the unions was carried out under the leadership of delegations of the All-Russian Central Executive Committee and all-Russian branch associations sent to Ukraine in December 1919—January 1920. On their basis, an organizational and instructional bureau was established, and after February 1920, the South Bureau of the All-Ukrainian Trade Union Central Executive Committee was established. In 1921, the unions of the Crimea and the Don regions were withdrawn from its subordination.

Simultaneously with the construction of branch unions, intersectoral territorial union bodies were created: provincial councils of trade unions, county and district trade union bureaus. Within the borders of the whole of Ukraine, the functions of the union body were performed by the South Bureau of the All-Ukrainian Union of Trade Unions of Ukraine. In order to prevent uncontrolled interference of the trade union masses in the reorganization of unions, in March 1921, the Southern Bureau of the All-Ukrainian Central Executive Committee decided to temporarily ban all-Ukrainian congresses and conferences (Kulchytsky, 1996). The Russian trade union centre quickly managed to take Ukrainian unions under control, and the ban on convening conferences (but not congresses) was not necessary. In January 1922, an all-Ukrainian Conference was held in Kharkiv, the delegates of which represented 1,300,000 union members. It was decided to restore the principle of voluntary membership. Previously, all those who worked in state-owned enterprises were required to enroll in a trade union with automatic deduction of membership fees upon payment of earnings. The conference elected the South Bureau of the All-Union Central Executive Committee for the first time. Previously, its composition was determined by the All-Russian Trade Union Centre (Essays on History of Trade Unions of Ukrainian SSR, 1983).

With the introduction of a new economic policy in 1923, the Bolsheviks established the Ukrainian Bureau of the All-Union Central Council of Trade Unions, which was reorganized into the All-Ukrainian Council of Trade Unions in 1924. The pressure on trade unions was somewhat reduced, which, in particular, manifested itself in the collective agreements of social and labour relations. As of 1 January 1922, collective employment agreements covered 50% of the total number of employees in private enterprises (Prokopenko, *Legal Status of Trade Unions: Present and Prospects*, 1999).

In addition to the transition to the New Economic Policy (NEP), this was facilitated by the democratization of the society and functioning at the Ministry of Labour of the Committee of Labour—an advisory body, which included representatives of leading ministries, organizations of industrialists and workers. During the NEP there was a fairly high level of state guarantees, which included a guaranteed minimum wage, indexation of wages above the minimum, the penalty paid by the employer in case of delay in payment; availability of insurance funds to support workers during the strike.

Labour disputes due to non-fulfillment of collective agreements or their revision were resolved according to the scheme: warning of the administration—declaration of a state of conflict at the enterprise—conciliation chamber, arbitration—labour session of the people’s court or a strike (Chumachenko, *Functions of Trade Unions at Conclusion of Collective Agreements and agreements in Modern Conditions of Market Economy*, 2005). However, such liberalization of social relations lasted a short period, only until the late 1920s.

As O. Movchan aptly points out, frequent changes in the political course of the Bolsheviks in their attempts to establish social balance, inevitably led to the reorganization of trade unions’ structure: from strict centralization during military communism to a certain decentralization after the proclamation of the NEP. All this manifested itself in trade union life as follows. *First*, restructuring of sectoral trade union bodies and cessation of efforts to organize a single trade union. *Secondly*, revived work of grassroots cells. *Third*, replacement of forced collective membership by “voluntary” collective and individual. *Fourth*, transition from public funding to a system of receiving funds through a system of membership fees. *Fifth*, the Ukrainization of the trade union government, mass work, and organization of a nominal republican trade union centre. *Sixth*, introduction of individual elections instead of a registered list voting system, etc. In fact, the “democratization” of the trade union movement did not affect the centralist principles of the trade union system. Democratic attributes were used only to strengthen the totalitarian regime (Movchan, 2000).

In December 1928, the delegates of the IV All-Ukrainian Congress represented 2107 thousand members of 242 unions (Essays on History of Trade Unions of Ukrainian SSR, 1983). The members of the Communist Party in the unions were required not only to carefully implement the Party’s directives, but also to provide feedback to the state. As a rule, trade union leaders were secured only when they showed the ability to influence the masses and ensure the functioning of trade unions as a “transfer belt” from the Party to the working class. This basic requirement was clearly stated in Resolution of the IX Communist Party Congress, held in December 1925: “We consider it necessary to strengthen the authority of party members working in trade unions, who showed in their work the ability and sensitivity both to the demands of the working masses and to the party’s policy towards trade unions” (The Communist Party of Ukraine in resolutions and decisions of congresses, conferences and plenums of the Central Committee, 1976).

In the NEP period trade unions actively worked in the socio-cultural sphere. In particular, they provided assistance to the starving and unemployed, dealt with medical issues on an equal footing with the People’s Commissariats of Labour and Health, together with the People’s Commissariat of Education eliminated illiteracy, promoted secondary and higher education, and developed vocational education. They assisted in developing a network of clubs and other cultural and educational institutions, patronage of peasants, army, defense and sports associations, participated in solving housing problems, workers’ recreation, took care of strengthening workers’ cooperation, and so on. In this way the trade unions gained authority among the working masses.

4.3. Trade union movement in the stalinist period

In 1928/29, the daily output per worker increased by an average of 15.2%, while the corresponding wage—by 7.9%. At the end of the year, administrative bodies were given the right to change working conditions and remuneration. Signing of collective employment agreements became a mere formality. The galloping rise in food prices as a result of the 1928 crop failure had a negative effect on the level of real wages. A report from the information department of the Central Committee of the CPSU stated that the number of strikes and conflicts in industry had grown considerably. Dissatisfaction also gripped some of the Communists, who not only participated in the strikes, but sometimes led them. At the same time, in accordance with the ruling party’s policy of intensifying production, the trade union bodies began to reconsider the expediency of strikes in the public sector of the economy (Hrynevych & Kulchytskyi, 2015). Preventing opposition riots by trade unions, in 1928–29 the Central Committee of the Communist Party purged

the trade union apparatus under the slogan of combating the “right-wing bias” in the party (Trade Unions in Modern Ukraine, без дати).

A new stage in the development of trade union legislation and movement in general was the adoption of a Joint Resolution of the Central Executive Committee of the USSR, the Council of People’s Commissars of the USSR and Central Trade Union Council “On Merging the People’s Commissariat of Labour of the USSR with Central Trade Union Council “ on 23 June 1933 (Melnyk, 2003). After such a merger, trade unions issued several regulations both independently and together with public authorities. Regulations on the Procedure for Providing Assistance on State Social Insurance, Regulations on the Procedure for Investigation and Accounting for Accidents at Work were examples of such acts (Prokopenko, Labour Law of Ukraine, 2000). That is, the performance of certain functions of the state by trade unions was now enshrined at the legislative level and was authoritative in nature, as such functions were based on the provisions of regulations.

Regarding the adoption of the Resolution of 1933 Shemyakov O. writes that if the whole economy of the country is socialized and thus, turned into a single economic complex, carrying out production activities under a single plan and under the direction of a single governing body, in which the government acted, the struggle of unions with the government over production conditions became unnecessary. The whole set of public relations of the population of the country was represented by trade unions and the government. Trade unions became part of a unified system of national government, along with party and state bodies. Measures to defend the interests of workers, such as strikes or protests, were hardly ever used in the USSR. The fact is that the existing socio-economic system did not give rise to their application (Shemyakov, 2005).

The dictatorship of the leaders of the Bolshevik Party was always disguised as the “dictatorship of the proletariat”. This imposed certain obligations on the leaders before the working class. The profession of a “machine worker” was declared the most prestigious, while intellectuals became hate figures. The Communist Party-Soviet apparatus created by the leaders found the vast majority of its personnel in the community of the industrial proletariat. Communist paternalism, which patronized exclusively the working class in the NEP years, emerged out of the need to provide for the basic living needs of workers and employees of nationalized enterprises. The commune state had to not only pay wages to the staff of nationalized enterprises, but also make sure that this money could buy everything necessary for life (Hrynevych & Kulchytskyi, 2015).

In the days of the “*great turning point*”, centralization of trade union management intensified. From 1933 to 1937, neither factory nor local committees were re-elected, from 1932 to 1949 trade union congresses did not convene. In 1937 the inter-union bodies of trade unions and, in particular, the All-Ukrainian Union Council of Trade Unions, were liquidated. The majority of personnel of the trade union apparatus were purged during repressions in 1937–38. However, the regime resorted to populist actions—in accordance with the Constitution of the Ukrainian Soviet Socialist Republic of 1937, restrictions of trade union membership for the “*deprived*” (persons deprived of political rights) were cancelled. Trying to raise the prestige of trade unions, in 1933 the Bolshevik Party transferred to them the powers of the People’s Commissariat of Labour in the field of social insurance and labour protection. In addition to social insurance funds, the unions had a network of healthcare facilities and health resorts. In 1934, the functions of the People’s Commissariat of Workers’ and Peasants’ inspection were transferred to trade unions. Expanding the administrative and control functions of trade unions as auxiliary apparatuses of power, the Bolshevik Party leaders continued to curtail freedom of their activities in the field of labour protection. With the cessation of collective bargaining in 1935, the unions were deprived of the opportunity to defend the interests of workers in employment (Trade Unions in Modern Ukraine, без дати).

In accordance with this Act, the trade unions have been given the authority to explain the current regulations in the field of labour, regulation of working conditions, wage rationing, the

establishment of salaries and allowances; labour protection and safety at work; working time issues; control over distribution of housing, economic activities of the administration, etc. However, in practice, there were some difficulties in the exercise of powers over wages and regulation of working conditions.

On the eve of World War II, trade unions covered 5 million (85%) workers and employees of the USSR. The work of 50 thousand district, city, factory and local committees managed 24 centres, 13 republican and 445 regional trade union committees and councils. The priority areas of their activity were participation in creation of the military-industrial complex of the country and military-defense training of the population.

During World War II, trade unions became completely dependent on the command-and-control system. They did not go beyond their powers, but additionally performed tasks related to evacuation to the eastern regions of the country, militarization of production, transition to defense situation, providing assistance, treatment and rehabilitation of wounded and sick combatants, etc.

With the beginning of the Great Patriotic War of the Soviet Union of 1941–45, the work of trade unions was reorganized, the Trade Union Central Committee strengthened centralization and limited the election of trade union bodies, which was replaced by co-optation. Most regional and district trade union committees ceased to operate, and their subordinate factory and local committees came under the control of the Central and Republican Committees of trade unions. The staff of governing bodies and the number of paid (off-duty) employees sharply decreased. In accordance with the new tasks, new departments of the All-Union Central Committee of Trade Unions and the Central Committee of Trade Unions were created, and at the factories the relevant commissions were formed. Centralization and mobilization methods of work that met the wartime needs, provided the activities of trade unions, aimed at organizing resistance to Nazi aggression—creation of the people’s militia, fighter battalions and security groups; construction of defense facilities; training of troops; assistance to military hospitals, fundraising among the population for the needs of defense capabilities, evacuation of the material base of Ukrainian economy, population and cultural values to the eastern regions of the USSR (Movchan, 2000).

After the war, the trade union movement was aimed at rebuilding the country’s economy and training new staff. The period of 1934–1946 was characterized by negative phenomena in the field of collective bargaining of social relations, as collective employment agreements at enterprises were not concluded at this time. The process resumed in 1947 in accordance with the Resolution of the Council of Ministers of the USSR “On the Conclusion of Collective Agreements at Enterprises” (Chumachenko, Functions of Trade Unions at Conclusion of Collective Agreements and agreements in Modern Conditions of Market Economy, 2005).

In 1946, there were 3,500,000 (80.7%) employees in trade unions. The lowest percentage was on those lands who were added to the Ukrainian SSR—64.3% of the total number of workers and employees. In 1947, the trade unions were given the right to conclude collective employment agreements. In 1948 regional and republican councils of trade unions resumed work. In 1964–76, the degree of unification increased due to the coverage of agricultural trade union membership: first—tractor drivers, farming specialists and heads of collective farms, and then—others (Movchan, 2000).

4.4. Activities of trade unions during the Khrushchev thaw period

In 1956, Ukraine became a member of the International Labour Organization and ratified one of the fundamental ILO Conventions № 98 “On the Right to Organise and Bargain Collectively”. Beginning with the Khrushchev *Thaw period* and until the early 1970s, no significant changes took place in the life of the trade union movement in both the USSR and Ukraine. This period was characterized by two contradictory trends. On the one hand, there was certain democratization of social relations, and the sphere of labour was no exception. On the other hand, the government

was dominated by voluntaristic methods and a formal approach, which did not allow to implement positive developments.

4.5. The influence of gorbachev's rule on trade union movement

The activity of trade unions was regulated by the “Regulations on the Socialist Enterprise” of 1964, “Fundamentals of Legislation of the Union and Union Republics on Labour” of 1970, which became the second “*constitution for trade unions*” (Romaniuk & Onyshchenko, 2000); The Labour Code of 1971, which contained Chapter XVI, which directly regulated the activities of trade unions—“Trade Unions. Participation of Employees in Management of Enterprises, Institutions, and Organizations”; “Regulations on the Procedure for Considering Labour Disputes” of 1974; “Regulations on Community Courts” of 1977 and a number of other acts.

From the mid-1960's to the mid-1980's the formation of the Soviet model of trade unions, which fully corresponded to the social relations that had developed in the Soviet Union, was finally completed. The Soviet model of trade unions was close to the type of revolutionary-class one, but had several distinctive features. Thus, the trade union apparatus became part of the party-state nomenclature. A new principle of building trade unions—production-branch instead of shop union—was introduced. Soviet trade unions acted as a “state committee for forcing workers to work more productively” (for example, organizing socialist competitions and fulfilling socialist responsibilities). If trade unions had to fight for higher wages, then Soviet unions fought to increase the volume of such work without additional payment; if one of the main responsibilities of trade unions was to protect their members from the arbitrariness of the administration, the leaders of the Soviet trade unions were directly part of the nomenklatura top; if, as a rule, the trade unions maintain a constant state of readiness among the workers for solidarity actions aimed at protecting their interests, the Soviet trade unions, on the contrary, stopped any dissatisfaction, immediately informed the party and state security bodies about such phenomena in order to respond properly (Bezzub et al., 2005).

Researchers of the history of the formation and development of the trade union movement identify the external and internal functions of trade unions, which were characteristic of them in the 1970s. While the internal ones had hardly changed, the external ones had the function of international solidarity, which was to fight for peace against imperialist wars and aggression, for unity of action and cooperation in the spirit of proletarian internationalism of workers of all countries and trade unions (Chanysheva, 2008).

Negative phenomena and events taking place in the country could not but affect the work of trade unions. The bureaucracy of trade unions was constantly growing, its number in the 1980's increased 2.5 times (Shakirova, 2015). Bureaucracy in no way promoted, and often even hampered, the initiative of trade unions. All this led to the inconsistency of trade union activities with the requirements of the time.

After the proclamation of the course of Gorbachev's “perestroika”, Donbass became the center of the labour movement. In 1989, the first legal Regional Union of Strikers of Donbass, independent of the All-Russian Central Executive Committee, was established, it tried to improve the working conditions of miners by updating its management staff. In April 1990, the Union of Workers of Donbass was organized, and in the summer of 1990, the Federation of Independent Trade Unions of Ukraine (FITUU), which was to lead the trade union movement for independence from the party and government agencies. The FITUU (since 1992—the Federation of Trade Unions of Ukraine; FTUU) included a large number of branch and all inter-union unions. In contrast, in order to master the trade union movement, the Central Committee of the Communist Party of Ukraine inspired creation of the Union of Workers of Ukraine for socialist restructuring. The 19th Congress of Trade Unions of the USSR (October 1990) declared the cessation of the centralized trade union movement under the leadership of the All-Union Central Trade Union Council (Movchan, 2000).

5. Trade unions in independent Ukraine

The 1990s saw a significant shift in the history of the trade union movement. By decision of the delegates, the 15th Congress of Trade Unions of Ukraine, held in October 1990, became the First Constituent Congress of Independent Trade Unions of Ukraine, adopted the Declaration on the Establishment of the Federation of Independent Trade Unions of Ukraine. It declared independence of trade unions from state and industrial bodies. The Declaration was signed by 25 republican branch trade unions and 24 regional inter-union trade unions, which at that time represented 95% of all trade union workers in Ukraine. Adoption of the Declaration meant withdrawal from the trade unions of the USSR and refusal to act in accordance with the Statute of Trade Unions of the USSR. The Congress also adopted the Regulations on the Federation of Independent Trade Unions of Ukraine (FITUU), which defined its legal status, organizational structure, rights and responsibilities, including property (Tarasenko, 2016).

The All-Ukrainian Union of Workers' Solidarity united the national-democratic opposition and a significant part of the opposition workers' movement in 1991. After the collapse of the USSR, the trade unions of Ukraine acquired the actual status of non-governmental organizations. In 1992, the consolidation of trade unions began. During the II Extraordinary FITUU Congress in November 1992, the organization was renamed the Federation of Trade Unions of Ukraine, adopted the Programme of Trade Unions of Ukraine, which provided basic principles of trade unions in modern conditions.

The Federation of Trade Unions of Ukraine was becoming not only an active participant in public relations, but also in the political life of the country. The FTUU initiated a number of political actions in 1993–1994 and 1997–1998 as a form of protest against gross violations of agreements with trade unions by public authorities, including the Cabinet of Ministers of Ukraine. The fundamental normative-legal acts concerning the activity of trade unions was being replenished. Thus, the Law of Ukraine “On Collective Employment Agreements” of 1993 enshrined in trade unions the priority right to negotiate and conclude collective employment agreements.

With the adoption of the Constitution of Ukraine in 1996, the basic principles of organization and functioning of trade unions in Ukraine were established at the legislative level, namely in part 3 of Article 36. *First*, citizens have the right to participate in trade unions. *Secondly*, the purpose of their activities is to protect labour and socio-economic rights and interests. *Third*, they are public organizations, which include citizens who are connected by common interests and the nature of their professional activities. *Fourth*, as to the order of their creation, they are created without prior permission on the basis of free choice of their participants. *Fifth*, trade unions have equal rights, and restrictions on membership are regulated exclusively by the Constitution and laws of Ukraine.

The trade union network was not limited to the unions that made up the FTUU, but also included so-called “independent” trade unions. The Confederation of Free Trade Unions of Ukraine (CFTUU) was established at the Constituent Congress of Free Trade Unions of Ukraine on 12 June 1997. The main principles of its functioning were freedom from political and corrupt interests, publicity, transparent activity on democratic principles, support for freedom of speech, openness to cooperation and dialogue (Tarasenko, 2016).

In this regard, O. Kornievsky stated quite appropriately, who believes that in order to prevent the politicization of trade unions, it is necessary to change approaches to their formation and specify the directions of their activities. *First*, it should be clearly defined who can be a member of a trade union and on what basis, in order to prevent the general politicization of trade unions and their dependence on employers. *Secondly*, it is necessary to establish legislative, administrative and criminal liability of trade union officials for abuse of office. *Thirdly*, it is necessary to supplement the legislation with a norm on the non-partisanship of leaders of any trade unions, which will make public associations more or less independent of any political force (Kornievsky, Professional unions in terms of social transformations, Kornievsky,).

The realization of the right to strike, in turn, was ensured by the Law “On the Procedure for Resolving Collective Labour Disputes (Conflicts)” from 1998 at that time there were 10 national inter-branch associations and 14 branch trade unions that were not part of inter-branch centres. FTUU was the most numerous among them, which united 17.7 million people. In total, the trade unions of Ukraine included 23.5 million people. Another feature of that time was that in 1998 the Decree of the President of Ukraine established the National Mediation and Reconciliation Service, which became an instrument to facilitate resolution of collective labour disputes (conflicts) between employees represented by trade unions and employers, which significantly reduced unmotivated protests. And with the adoption of a special law of Ukraine “On Trade Unions, their Rights and Guarantees of Activity” on 15 September 1999, the main activities of trade unions were finally defined: representation and protection of labor and socio-economic interests of workers.

Thus, after Ukraine gained independence, a new type of trade unions was formed. The following features are characteristic of the transformed trade unions:

- 1) the transition of the trade unions from the functions of *cooperation with the government* to their liberalization;
- 2) state of *neutrality* of the trade unions in relation to political parties, movements, public associations and organizations and cooperation with them only on specific issues of socio-economic protection of human interests or blocking with them for election campaigns and formation of parliamentary fractions;
- 3) predominance of protective functions in the activities of trade unions;
- 4) application, if necessary, of methods of pressure on the owners up to strikes;
- 5) improvement of the organizational structure and principles of trade unions: the principle of centralism is replaced by federalism; grassroots organizations delegate the necessary powers and rights to trade union bodies;
- 6) formation of a new generation of trade union leaders and functionaries through selection, election to trade unions and training of highly qualified specialists;
- 7) establishment of own educational institutions (1994—Academy of Labour and Social Relations of the FTUU);
- 8) launching periodicals, reference and information publications of trade unions of Ukraine (“Trade Union Gazette”, the magazine “Trade Unions of Ukraine”, etc.);
- 9) cooperation with trade unions of foreign countries, work in international trade unions, and international organizations (Lysyak, 2004).

With the active assistance of trade unions to ensure the constitutional human right to a decent standard of living, adequate social protection, Ukraine adopted a number of laws, in particular, “On the Subsistence Level” (15 July 1999 № 966-XIV).

Confederation of Free Trade Unions of Ukraine (CFTU) includes sectoral organizations: Independent Trade Union of Miners of Ukraine, All-Ukrainian Trade Union “Protection of Justice”, Free Trade Union of Railway men of Ukraine, Free Trade Union of Education and Science of Ukraine, Free Trade Union of Medical Workers of Ukraine, All-Ukrainian Trade Union “Native Land”, Free Trade Union of Entrepreneurs, Trade Union of Able-bodied Disabled People, Trade Union-Association of Civil Aviation of Ukraine, and the Association of Motorists of Ukraine. Territorial organizations of CFTU operate in 15 regions of Ukraine. The principled position proclaimed by the

CFTU is that the interests of employees for the organization are “above all”. The main task of free trade unions is to convey to the men of labour the ideology of freedom, justice, solidarity and change with their help the consciousness of people in employment in order to realize the need to fight for their rights (Tarasenko, 2016).

At the same time, the small number of protests organized by trade unions in different years were mostly political in nature and made mostly socio-economic demands. For example, in the 2000s, the FTUU only twice tried to mobilize its members at the national level and bring them to Kyiv to protest against government policies, trying to balance in relations with the government. An important stage in regulation of independent trade unions in Ukraine was at the 4th Congress of the FTUU, which took place in two stages: the first—on November 19–21, the second—on 12 December 2002. The Congress approved the Charter of the Federation of Trade Unions of Ukraine for 2002–2007. On 5 April 2006, the 5th Congress of the Federation of Trade Unions of Ukraine took place in Kyiv. O. Yurkin was elected Chairman of the Federation of Trade Unions of Ukraine. In 2009, the trade unions of Ukraine formed the Joint Representative Body of All-Ukrainian Trade Unions (JRB). It was designed to represent and protect the interests of the trade union in labour, socio-economic and other areas during negotiations between the parties to the social dialogue and the subsequent conclusion of the General Agreement between the government and the All-Ukrainian Association of Employers.

A significant step in the development of the trade union movement was significant protests provoked by the government and parliament’s attempt to change the tax law and abolish certain tax benefits for entrepreneurs in 2010. Among other protests organized by the Federation of Trade Unions of small and medium business. The largest organization among the protesters was the Union of Free and small entrepreneurs and their employees. In November 2010, about 10,000 to 25,000 protesters occupied Maidan (Independence Square) in Kyiv and organized other protests in most other major cities in the country. The demonstrations were eventually suppressed by police, but the government withdrew the controversial law and sent it for revision. Participants in the Maidan blockade and protests also included many workers and a number of small unions representing the interests of those working in very small businesses, such as market vendors or independent carriers.

Another wave of protests took place a year later, when the government tried to reduce social benefits for veterans of war in Afghanistan, Chernobyl victims, miners with disabilities, children of war, etc. (there were a total of sixteen categories). In September 2011, representatives of these groups of retirees tried to storm the Parliament during a mass protest, and they almost succeeded. Law enforcement barely managed to stop them, and the Parliament agreed to adopt any changes to the law only after negotiations with the organizations of those affected.

From 2011 to April-August 2015, at least 306 strikes were recorded by monitoring the protests, repressions and concessions of the Centre for Social and Labour Studies in Ukraine. Until November 2013, there were no more than eight strikes per month, mainly related to wage arrears or labour rights. With the start of Euromaidan, there was a sharp jump to peak values: 35 strikes in December and 38 in February 2014 were strikes against the Yanukovich-Azarov government, violence by law enforcement, failure to sign an Association Agreement with the EU. Further on, the number of strikes per month decreases due to completion of the Maidan and the growing share of ideological protests, to achieve the goals of which the strike and its connection with production were of little importance (Trade Unions in Modern Ukraine, n.d.).

At the same time, during the spring-summer of 2014, social (including workers’) protest remained to some extent “in the shadow” of protest actions of a purely political dimension. In particular, according to the Centre for the Study of Society in August 2014, out of the total number of protests, only 22% concerned socio-economic issues, and the most common motives for protests were ideological and patriotic issues (54%). For comparison: in 2013, before the beginning

of the Euromaidan, certain social demands were voiced in 56% of actions. Instead, among the 690 protests recorded in August 2014, in addition to patriotic themes, political issues such as lustration (69%), fight against corruption (62%) and protection of civil liberties (31%) were popular (In Ukraine, there is a High Level of Protest Activity—a Sociologist).

In October 2016, under pressure from trade unions, for the first time in 16 years, the Methodology for determining the subsistence level was approved and food kits, non-food kits and service kits were updated for the main social and demographic groups of the population. The right to various types of benefits and social compensation payments for socially vulnerable categories of citizens has been preserved. Submission of documents for the grant in electronic form has been significantly simplified (there is no need to visit welfare bodies and provide documents in paper form). Trade unions managed to address a number of issues in taxation for the benefit of citizens and trade unions, including reducing the tax burden on individuals and creating favorable tax conditions for trade unions, including maintaining the non-profit status of trade unions and exempting them from reporting use of income (profits). The most important area of trade union activity over the years has been the legal protection of employees. Carrying out control over observance of the labour legislation, lawyers of Federation of Trade Unions of Ukraine render legal help to members of trade unions and defend their interests in courts (Osovyi, 2018).

However, some negative trends are being observed. Despite the fact that the FTUU is the largest trade union in Ukraine (the Federation of Trade Unions of Ukraine unites 5.6 million participants, 44 all-Ukrainian trade unions, 25 territorial associations of trade unions, 58,591 primary trade unions; Osovyi, 2018) at present, there is a pattern of reduction in the number of trade unions, due to both objective and subjective factors. The objective ones include changes in the structure of employment, the growing popularity of atypical forms of employment; globalization of the economy, reducing the number of enterprises and employees; and shortcomings in the work of trade unions. The subjective ones include the lack of public awareness of the existence and activities of trade unions and the low level of public confidence in them.

The practice of creating so-called “captive” trade unions at enterprises is also not uncommon. In fact, they are completely under the control of the enterprise administration and act solely in its interests (Tarasenko, 2016). Another important factor influencing the development of the trade union movement in Ukraine is the Labour Code, drafted by a special parliamentary working group including representatives of the Government, trade unions, employers’ associations, the public, as well as experts and scientists. The Verkhovna Rada Committee on Social Policy, Employment and Pensions has completed the preparation of the draft Labour Code of Ukraine. This Draft has been considered by representative all-Ukrainian trade unions—subjects of the Agreement on the Establishment of a Joint Representative Body of Trade Unions, which called for the possibility of taking this draft Code as a basis for its further development by all participants of the social dialogue.

In addition, in 2019 there were negative cases by the legislature regarding adoption of regulations that blocked the work of trade union bodies, one of which was the draft Labour Code №2708 of 28.12.2019. This bill, if adopted, could deprive workers of legal protection, and trade unions—the ability to protect them. The Confederation of Trade Unions believes that the adoption of the Code will result in:

- 1) simplified dismissal of employees at any time at the request of the employer;
- 2) short-term individual employment contracts; contracts without fixed working hours;
- 3) overtime will become the norm and will be paid 5 times lower than before;
- 4) abolishing some social guarantees for workers and reducing the protection of mothers with young children facilitating their easier dismissal;

5) transfer of an employee to another job without their consent; 6. Actual liquidation of trade unions.

It should also be noted that the bill was passed without consulting with trade unions and consists of only 99 articles in order to have limited consideration in parliament. It is also noted that the Ukrainian government refused to seek help from the International Labour Organization (ILO) as the Code violates several ILO conventions. Thus, we can conclude that the history of the emergence and development of the trade union movement in Ukraine is quite long and complex. One model of trade unions replaced another, at specific historical stages trade unions were endowed with different powers and performed different functions. Despite the existing problems, trade unions today still remain quite influential and structured public organizations and represent, given the massiveness of their membership, a significant electoral resource.

6. Results

Trade unions have always been and will be the public organizations that cover the largest number of employees, for which the traditional functions of representation and protection of labor and socio-economic interests of workers. That is why the study of the genesis of trade union activity is of great theoretical and practical importance, as it helps to identify certain patterns of trade union development and identify negative trends and eliminate the factors that cause them.

Given the above, we can talk about four stages of formation of the professional movement in Ukraine, including:

1. Emergence of the trade union movement in modern Ukraine (1817–1904) is characterized by the emergence of the first trade union organizations in the Ukrainian territories and the struggle for their labour rights;

2. Development of the trade union movement in the tsarist period of the Russian Empire (1905–1917). An important feature of trade union organizations at that time was their apolitical nature, despite pressure from political parties. This largely distinguished pre-revolutionary unions from those formed after 1917 and functioning during the Soviet period.

3. Trade union movement in the Soviet period (1918–1991) that can be divided into stages:

1) trade union movement during the Ukrainian Revolution: during this period under the pressure of revolutionary events changed the very political consciousness of Ukrainians and the national political elite, who in a short time went from the ideas of political autonomy and federation to awareness of their own statehood;

2) organization of the trade union movement in the period of the new economic policy: the relations between the unions and the factory committees remained undefined. In fact, the factory committees were not even considered unions. Under that organizational structure, the establishment of party control over the trade union movement was fraught with technical difficulties. Therefore, the unions were restructured on a production-sectoral basis. All employees at one enterprise or institution, regardless of profession, were united in one branch union;

3) trade union movement in the Stalinist period: the rapid increase in the pace of industrial development led to the deterioration of the material and legal situation of workers in 1928/29. The party directives targeted plant management and trade unions at “maximum technical capability” of production, which meant a marginal increase in labor intensification without adequate material compensation. The accelerated merger of trade unions with economic bodies was accompanied by the curtailment of their social protection activities. In 1929 the trade unions were deprived of the right to participate in imposing disciplinary sanctions, labor rationing and dismissal of workers, as well as in the management of medical workers, in 1930—opportunities to protect the economic

interests of workers through collective agreements as the administration of the enterprises was granted the right to inspect them ahead of schedule;

4) activities of the trade union during the Khrushchev *thaw period*. Khrushchev's *thaw period* was a controversial period in the activities of the trade unions. On the one hand, democratic tendencies in the society contributed to strengthening of attention to social issues. On the other hand, formal and bureaucratic approaches to their solution refuted positive ideas and developments. However, trade unions began to hold regular conventions, the election of governing bodies was introduced, and trade unions were given legal status;

5) influence of Gorbachev's rule on the trade union movement: during *perestroika* (the restructuring of the Soviet system), initiated by Mikhail Gorbachev, the unions were undergoing changes, the process of radical reorientation of trade unions to perform their basic functions of social protection.

7. And trade unions during the Independence of Ukraine

At that time in Ukraine, the relationship of trade unions with political parties acquired quite specific features. Characteristic in this regard was the creation in April 1997 of the All-Ukrainian Workers' Party, which was based on the action programme and election platform of the FTUU. As a result of active work of trade unions the provisions directed on adaptation of labour legislation of Ukraine to the European Social Charter (revised) and other international legal acts: the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, conventions and recommendations of the International Labour Organization (non-discrimination in labor, the burden of proving discrimination lies on the employer, prohibition of forced labor, fundamental employees' rights, basic employers' rights, etc.). In addition, the proposals of trade unions for further expansion of workers' rights were taken into account

Funding

The authors received no direct funding for this research.

Author details

Kovalenko Ruslan¹

E-mail: st.line@ukr.net

ORCID ID: <http://orcid.org/0000-0003-4289-2708>

Mykola Inshyn²

ORCID ID: <http://orcid.org/0000-0002-9332-0286>

Yuliia Hryshyna²

ORCID ID: <http://orcid.org/0000-0002-1892-6675>

Olena Hubska³

ORCID ID: <http://orcid.org/0000-0003-0449-2834>

Viktoriiia Yurovska⁴

ORCID ID: <http://orcid.org/0000-0001-7126-049X>

¹ Candidate of Law of the Department of Labor Law of Social Law, Taras Shevchenko National University of Kyiv, Kyiv, Ukraine.

² Professor; Dr. of the Department of Labor Law of Social Law, Taras Shevchenko National University of Kyiv: Kiev, Kyiv, Ukraine.

³ Doctor of Law, Interregional Academy of Personnel Management, Kyiv, Ukraine.

⁴ Doctor of Law, Associate Professor of the Department of Labor Law Yaroslav Mudryi National law University. Kharkiv, Ukraine.

About the Authors

Conceptualization – Ruslan Kovalenko; data collection – Mykola Inshin, Ruslan Kovalenko, Yuliia Hryshyna, Viktoriiia Yurovska; methodology – Ruslan Kovalenko, Olena Hubska, writing – preparation of the initial project – Mykola Inshin, Ruslan Kovalenko, Yuliia Hryshyna; writing – reviewing and editing – Viktoriiia Yurovska, Ruslan Kovalenko, and Olena Hubska.

All authors agreed to publish this article, as well as have read and agreed with the published version of the manuscript. From the XIX century to the present, the peculiarities of the formation of the trade union as one of the important subjects of labor relations are considered. Where it is stated that the trade union is an institution of modern society embodies the features of the main political institutions: parties, NGOs and interest groups. The periodization of the development of trade.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Citation information

Cite this article as: History of the origin and development of the trade union movement in Ukraine, Kovalenko Ruslan, Mykola Inshyn, Yuliia Hryshyna, Olena Hubska & Viktoriiia Yurovska, *Cogent Arts & Humanities* (2023), 10: 2173553.

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