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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties to the Covenant
concerning rights covered by articles 6 to 9 in accordance with the
first stage of the programme established by the Economic and Social
Council in its resolution 1988 (LX)

Addendum

UKRAINIAN SOVIET SOCIALIST REPUBLIC**

[29 November 1983]

INTRODUCTION

1. The period since the Ukrainian Soviet Socialist Republic submitted its first report on articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights (E/1978/8/Add.22) saw a continuing process of developing and deepening socialist democracy, a further strengthening of the legal basis of the Republic's State and public life, and the implementation of a policy of satisfying ever more completely people's material and spiritual requirements and comprehensively guaranteeing their rights and freedoms.

* E/1984/30.

** The initial report submitted by the Government of the Ukrainian Soviet Socialist Republic concerning rights covered by articles 6-9 of the Covenant (E/1978/8/Add.22) was considered by the Sessional Working Group of Governmental Experts at its 1980 session (see E/1980/WG.1/SR.18).

2. The Twenty-sixth Congress of the Communist Party of the Ukrainian SSR, held in February 1981, identified the basic goals of economic and social development for the Ukrainian SSR for 1981-1985 and for the period up to 1990, the main goal being to ensure further improvement in the well-being of the people. The issues contained in the provisions of articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights are also dealt with as part of this social and economic programme.

3. Work continued on further perfecting the Republic's legislation on the basis of the 1977 Constitution of the USSR and the 1978 Constitution of the Ukrainian SSR. The period saw the adoption of a number of all-union and republican legislative instruments aimed at guaranteeing even more completely the rights, freedoms and lawful interests of citizens of the Republic, including those embodied in articles 6 to 9 of the Covenant.

4. There follows a short survey of the situation with regard to the exercise in the Ukrainian SSR of the rights recognized in articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights, taking into account the changes that have occurred in the Republic since it submitted its first report on those articles of the Covenant.

5. Information directly related to the issues involved in articles 1 to 5 and 6 to 9 of the Covenant is also contained in a number of reports submitted in recent years by the Ukrainian SSR to the United Nations and United Nations bodies under various international procedures. This applies particularly to the report of the Ukrainian SSR on the implementation of the provisions of the International Covenant on Civil and Political Rights (CCPR/C/1/Add.34); the most recent reports of the Ukrainian SSR on the implementation of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/66/Add.15 and CERD/C/91/Add.20); the recent report of the Ukrainian SSR on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid (E/CN.4/1983/24/Add.11); the report of the Ukrainian SSR on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW/C/5/Add.11); and the reports regularly submitted by the Ukrainian SSR in accordance with article 22 of the Constitution of the International Labour Organisation (ILO). In addition, the information transmitted by the Ukrainian SSR to the United Nations in accordance with General Assembly resolution 37/43 of 3 December 1982 (on the right of peoples to self-determination) and set forth in the corresponding report of the Secretary-General (A/37/317 and Add.1) is directly relevant to the implementation of article 1 of the Covenant.

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ARTICLE 6: THE RIGHT TO WORK

6. The right to work is among the basic constitutional rights of citizens of the Ukrainian SSR. Article 38 of the Constitution of the Ukrainian SSR states as follows:

"Citizens of the Ukrainian SSR have the right to work (that is, to guaranteed employment and pay in accordance with the quantity and quality of their work, and not below the State-established minimum), including the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education, with due account of the needs of society.

"This right is ensured by the socialist economic system, steady growth of the productive forces, free vocational and professional training, improvement of skills, training in new trades or professions, and development of the systems of vocational guidance and job placement."

7. The question of the role of work in socialist society is also the subject of article 14 of the Fundamental Law of the Republic. It states, in particular, that the source of the growth of social wealth and of the well-being of the people, and of each individual, is the labour, free from exploitation, of Soviet people, and that it is socially useful work and its results which determine a person's status in society.

8. Like other constitutional rights and freedoms, the right to work guaranteed under the Constitution of the Ukrainian SSR is truly universal in character and is implemented on the basis of genuine equality of all citizens, without discrimination of any kind. Article 32 of the Constitution states that:

"Citizens of the Ukrainian SSR are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status.

"The equal rights of citizens of the Ukrainian SSR are guaranteed in all fields of economic, political, social and cultural life."

9. The Constitution contains additional provisions which constitute a legal guarantee excluding any possibility of discrimination on national or racial grounds, including distinction in working relations. Thus article 34 of the Constitution provides that citizens of the Ukrainian SSR of different races and nationalities have equal rights. Any direct or indirect limitation of the rights of citizens or the establishment of direct or indirect privileges on the grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law.

10. Under article 35 of the Constitution, the rights and freedoms provided by law are guaranteed in the Republic to foreign nationals and stateless persons.

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11. Questions relating to the exercise of the right of citizens to work are governed in more detail by the Republic's labour legislation, of which quite an in-depth survey was presented in the first report of the Ukrainian SSR (E/1978/8/Add.22). Various aspects of this question have also been discussed in the reports submitted annually by the Ukrainian SSR under article 22 of the ILO Constitution.

12. In the past few years, no essential changes have been made in the labour legislation of the Republic. In June 1983, the All-Union Law on work collectives and the Enhancement of their Role in the Management of Enterprises, Institutions and Organizations was adopted. Under this Law, no major production or social question may be settled in enterprises, institutions and organizations without the direct participation of the manual and non-manual workers. In particular, work collectives are given wide powers in the conclusion of collective agreements, in the maintenance of labour discipline, in labour organization, rate setting and remuneration, in staff training and placement, in improving working conditions and labour protection and so forth. The contents of a number of articles of this Law are set forth below in connection with specific issues.

13. In August 1983, the Central Committee of the Communist Party of the Soviet Union, the Council of Ministers of the USSR and the All-Union Central Council of Trade Unions considered the question of stepping up work on strengthening socialist labour discipline and adopted decisions on the subject. Taking into account the many suggestions and wishes of workers, the Council of Ministers of the USSR and the All-Union Central Council of Trade Unions adopted a decision on additional measures for strengthening labour discipline, which provided for certain measures to strengthen labour discipline and reduce the turnover of staff. This involves, in particular, the creation of all the necessary conditions for work collectives to work without interruption and to be highly productive, an improvement in the functioning of labour and job placement bodies, additional measures to encourage conscientiousness at work, and a more intense effort to combat breaches of labour discipline, such as absence without legitimate grounds, and so forth.

14. Under article 58 of the Constitution of the Ukrainian SSR, it is the duty of, and a matter of honour for, every able-bodied citizen of the Republic to work conscientiously in his chosen, socially useful occupation and to observe labour discipline. Evasion of socially useful work is incompatible with the principles of socialist society.

15. The universality of work in socialist society is the principle underlying this combination of the right to work (art. 38 of the Constitution of the Ukrainian SSR) and the duty to have an honest and conscientious attitude to work (art. 58). The universality of work in the Ukrainian SSR means that all able-bodied citizens have an identical legal obligation to take part in the production of material and spiritual wealth in a field freely chosen by them. As distinct from the right to work, which all citizens have, the obligation to work affects only the able-bodied. By combining material and moral incentives and encouraging innovation and a creative attitude to work, the State helps to transform labour into the prime vital need of every Soviet citizen.

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16. Under article 2 of the Labour Code of the Ukrainian SSR,

"manual and non-manual workers exercise their right to employment by signing a contract of employment at an enterprise, institution or organization. Manual and non-manual workers have the right to leisure and rest in conformity with the laws on the working day and working week and on annual paid leave, the right to healthy and safe working conditions, the right to join trade unions, the right to take part in the management of production and the right to material maintenance in old age and sickness and in the case of total or partial disability at the expense of the State through social insurance".

17. The procedure for concluding, amending and terminating contracts of employment is embodied in articles 21 to 49 of the Labour Code.

18. When taking up employment, each manual or non-manual worker enters into a contract with the management of the enterprise or institution regarding exactly what work he will perform. Management may not demand that a manual or non-manual worker perform work which is not stipulated in the contract of employment (art. 31). Terms of contracts of employment offering conditions for manual or non-manual workers which are inferior to those provided for by the labour legislation in force or which contradict this legislation in any other way are null and void (art. 9).

19. As a rule, transfer to another post at the same enterprise, institution or organization and transfer to another enterprise, institution or organization or to a different locality, even with the enterprise, institution or organization, is permitted only with the consent of the manual or non-manual worker (art. 32).

20. Manual and non-manual workers have the right to annul a contract of employment signed for an indefinite term by giving management two months' notice in writing. When annulling a contract of employment on legitimate grounds, manual and non-manual workers shall give management one month's notice in writing (art. 38). A contract of employment signed for a fixed term may also be cancelled at the request of the worker in the event of sickness or disability preventing him from fulfilling his work as provided by the terms of the contract, if the management contravenes the labour legislation, the collective agreement or the contract of employment or on other legitimate grounds (art. 39).

21. The right to work is also the right to keep one's job and to be protected against unlawful dismissal. Therefore, in the Ukrainian SSR, management may annul a contract of employment on its own initiative only on a limited number of grounds, which are enumerated in the law (arts. 40 and 41). The fact that the law enumerates the grounds on which a worker may be dismissed on the initiative of the management represents an important legal guarantee of the right to work enjoyed by manual and non-manual workers. A similar guarantee, confirming the restrictions on management's right to dismiss a worker, is provided by the requirement that the trade union committee first give its consent to a dismissal. Moreover, as a rule, management is forbidden by law to dismiss an employee on its own initiative during periods of temporary disability or during the employee's absence on leave (art. 40). Managers of enterprises may not dismiss young specialists for the first

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three years after they graduate from educational establishments. The dismissal of workers under 18 years of age by the management is permissible only if the general rules concerning dismissal are strictly observed, and only with the consent of the district or city Minors' Board (art. 198 of the Labour Code).

22. The annulment of a contract of employment by management without legitimate grounds or in violation of the established system for dismissal is prohibited, and a worker who has been unlawfully dismissed must be reinstated in the post he held previously and paid for his period of enforced idleness (arts. 43, 234 and 235 of the Labour Code). The legislation of the Republic also provides for the criminal responsibility of officials for the unlawful dismissal of a worker from a job or the non-enforcement of a court decision on reinstatement (art. 133).

23. The legislative provision of the Ukrainian SSR prohibiting refusal of employment without good reason (art. 22 of the Labour Code), is evidence of the democratic quality of labour relations under socialism and represents one of the legal guarantees for the practical exercise of the right to work. This article is intended to protect citizens taking up employment from any possible abuse of power on the part of the management. The same article states that "any direct or indirect limitation of rights or the establishment of any direct or indirect privileges on the basis of sex, race, nationality or attitude towards religion when employing a worker is prohibited".

24. The labour legislation in force consistently applies the principle of equal rights of men and women, as laid down in article 33 of the Constitution of the Ukrainian SSR:

"Women and men have equal rights in the Ukrainian SSR.

"Exercise of these rights is ensured by according women equal access with men to education and vocational and professional training and equal opportunities in employment, remuneration and promotion and in socio-political and cultural activity, and by special labour and health protection measures for women; by providing conditions enabling women to combine work and motherhood; and by legal protection and material and moral support for mothers and children, including paid leave and other benefits for pregnant women and mothers and the gradual reduction of working time for women with small children."

25. The constitutional provisions mentioned above are further expanded in the Labour Code and other legislation of the Ukrainian SSR. Articles 174 to 186 of the Labour Code are specifically concerned with questions relating to the employment of women. Article 184 states, in particular, that in the Republic "management is forbidden to refuse to employ a woman or reduce her remuneration on account of her pregnancy or the fact that she is breastfeeding an infant". The legislation of the Republic also provides for criminal responsibility for refusal of employment on the grounds of pregnancy or for refusal to employ a nursing mother (art. 134 of the Criminal Code of the Ukrainian SSR).

26. More detailed information on all matters relating to the status of women in the Ukrainian SSR may be found in the report of the Ukrainian SSR on the

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implementation in the Republic of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/5/Add.11), which was considered in August 1983 by the Committee on the Elimination of Discrimination against Women.

27. It might simply be added that, in the field of labour relations, women enjoy equality in practice as well as in law, as can be seen from the fact that in the Ukrainian SSR women constitute over half the total number of manual and non-manual workers engaged in social production.

28. Women work as directors of industrial enterprises, factory shop superintendents, heads of sections and laboratories and foremen. Over 10,000 women work as chairmen and secretaries of organs of government at various levels. Women represent over 66 per cent of the members of State and economic management organs and of governing bodies of co-operative and public organizations. In 1981 there were over 74,900 women scientific workers in the Ukrainian SSR, 447 of them being academicians, associate members and professors.

29. The legislation of the Ukrainian SSR provides additional guarantees of the exercise of the right to work for certain categories of citizens. These guarantees do not, however, discriminate against other citizens.

30. Thus, under article 196 of the Labour Code of the Ukrainian SSR, a quota is fixed for all enterprises and organizations for the employment and on-the-job training of young people graduating from general education schools and vocational-technical schools, and also other persons under 18 years of age. By its decision of 23 March 1982, the Council of Ministers of the Ukrainian SSR approved the regulations concerning job placement arrangements for general secondary school-leavers and other young people who do not continue in full-time education. Under these regulations, job placement activities are organized by special youth employment commissions together with local labour bodies on the basis of established job placement plans, with account being taken of the wishes of the young people, their practical training and the recommendations of the schools. Under article 197 of the Labour Code, young workers who have completed their training at vocational and technical schools and young persons who have completed their training in special skills in higher education establishments and specialized secondary institutions are provided with employment in keeping with the skills and vocational training they have acquired.

31. Furthermore, in cases specified by law, management is responsible for providing work for disabled persons in accordance with the recommendations of the medical establishment concerned, and for fixing a partial working day and arranging special conditions of work at their request (art. 172).

32. The labour rights of citizens are protected by law and are upheld by the State organs as well as by the trade unions and other public organizations. Persons guilty of violations of labour legislation are liable to disciplinary, administrative and, in the cases specified in chapter IV of the Criminal Code of the Ukrainian SSR, criminal penalties.

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33. The balanced and dynamic development of social production in the Ukrainian SSR is an important condition for the implementation of the right to work. As mentioned in the first report of the Ukrainian SSR, in conditions of a socialist planned economy, the transition from extensive methods to the intensification of social production and the accompanying release of personnel is taken into account in labour plans. Such plans provide, in particular, for the training, retraining and advanced training of personnel so as to prevent interruption in work and ensure continuous employment for the working people.

34. Employment of the broad masses of the urban and rural population, including young people graduating from general education schools and vocational-technical schools, is also the concern of State bodies responsible for securing employment for specific categories of citizens. In the approach to these matters, the plan basis for the development of the main branches of the country's economy is strictly respected. The general direction of planning for supplying the Republic's economy with skilled personnel, having regard to the requirements of the different branches of the economy and of regions, is the responsibility of the State Planning Committee of the Council of Ministers of the Ukrainian SSR, which must make provision for the steady growth of the productivity of labour, the correct use of the labour resources of the Republic and the supplying of the economy with skilled workers and specialists with higher and specialized secondary education.

35. The planning bodies of the Republic define the potential labour resources available to society at each period of economic construction in specific districts, so as to link them with the personnel needs of the economy, determined on the basis of rosters of labour resources drawn up every year.

36. In the Ukrainian SSR, as part of the Republic's social and economic development plan for 1981-1985, "Labour", a special integrated scientific and technical programme, has been formulated and is being implemented. Its main aim is to achieve a balance between the manpower requirements of the economy and the availability of labour resources, to increase labour productivity, to raise the well-being of workers and to improve their working and living conditions. As a result of this programme, which involves all the work collectives of the Republic, the labour of 3.9 million people will be saved through a reduction in manual labour, the introduction of more productive machinery, the integrated automation and mechanization of production, the training and retraining of skilled staff, and a better distribution of productive forces in the territory of the Ukrainian SSR.

37. In recent years, the Ukrainian SSR has seen a significant expansion in the network of job placement bureaux. At the present time, there are 25 regional bureaux and the Kiev and Sevastopol municipal bureaux (operating on a regional basis) with 404 branches in towns and districts in the Republic. The bureaux act as intermediaries in finding jobs for citizens applying to them. They also centralize information from enterprises on their need for manual and non-manual workers and inform the public of the availability of vacancies and unfilled posts.

38. The complete absence of unemployment, which was eliminated in the country as early as 1930, provides vivid evidence of how the right to work is implemented in the Ukrainian SSR. Entire generations have grown up in conditions of full

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employment, in which the number of jobs available consistently exceeds the number of persons seeking work, and in which everyone has the opportunity to choose his work freely in accordance with his vocation, abilities and qualifications.

39. The pattern of growth of the average number of manual and non-manual workers engaged in the economy of the Republic each year is illustrated by the following figures:

<u>Years</u>	<u>Manual and non-manual workers</u> (thousands)
1970	16 200
1975	18 356
1980	20 042
1981	20 234

In the first half of 1983, an average of 20.4 million manual and non-manual workers were engaged in the economy of the Ukrainian SSR.

40. The vast scale of economic and cultural construction, which leads to an expansion of employment every year, provides a broad field of activity for the young people of the Republic. Young people who have reached working age and completed their education are the basic source of manpower for the country's economy.

41. Great attention is paid in the Republic to questions of employment for persons of retirement age who express a wish to continue in their employment. The work carried out by persons in this category is of great social significance. In the Ukrainian SSR, special enterprises, shops and sections have been set up where persons of retirement age can work, and special reduced norms and work targets have been established for them. Such persons are offered the possibility of working at home or working a shorter working day; they are provided with reduced-rate passes to leisure and health centres, and are entitled to housing and cultural and welfare services in preferential conditions. They continue to receive their pensions in addition to their remuneration.

42. In the Ukrainian SSR a broad range of measures is being implemented which meet the requirements of article 6, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights. The labour legislation of the Ukrainian SSR makes provision for the right of workers to free vocational training and free advanced training, which are provided in various forms: (a) in fixed educational establishments, i.e., urban and rural vocational-technical schools; (b) in specialized secondary educational establishments training specialists and technicians for industrial and agricultural enterprises and for cultural, health and educational establishments; (c) in higher educational establishments training highly skilled specialists for all branches of the economy. All these forms of training take place either with or without interruption of employment.

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43. Under article 201 of the Labour Code, the management of enterprises, organizations and institutions organizes individual and group training, course instruction and other forms of industrial training at the expense of the enterprise, organization or institution, so that manual and non-manual workers, especially young persons, can receive vocational training and improve their skills.

44. Manual workers with considerable industrial experience and foremen may, without interruption of employment, improve their skills in schools for foremen. Management and engineering and technical personnel improve their skills in the advanced training faculties of higher and specialized secondary educational establishments and through short-term courses offered by ministries, departments, large enterprises, research institutes, etc.

45. There is an extensive system of benefits for persons combining work with study (arts. 201-220 of the Labour Code). Industrial training takes place during working hours, and time spent in training and retraining is counted as work time. Management must provide the necessary conditions to enable such persons to combine work and study. If a manual or non-manual worker is recommended for a more skilled post or for a promotion, his industrial training achievements, his general or vocational education and the completion of higher or specialized secondary education must be taken into account. Persons who engage in full-time study are granted stipends.

46. In the Ukrainian SSR, there are special State bodies which are responsible for providing various kinds of training. In particular, vocational and technical training in the Ukrainian SSR is directed by the State Committee of the Council of Ministers of the Ukrainian SSR for Vocational and Technical Training.

47. In 1982, 386,000 specialists entered the economy of the Republic, and out of that number 149,000 had higher education and 237,000 had secondary specialized education. In the course of that year, vocational and technical educational establishments trained 391,700 young skilled workers and admitted 432,500 students. Over 9 million persons learned new occupations and improved their skills through individual and group training and course instruction at enterprises, institutions and organizations and also on collective farms.

48. Further prospects for the realization of the right to work, including the right to vocational training, are opened up by the implementation of the Republic's economic and social development plan for the period 1981-1985 which is aimed at raising the material and cultural living standards of the people through the dynamic, balanced development of social production and the enhancement of its efficiency, the acceleration of scientific and technical progress, increased labour productivity, and all-round improvement in the quality of work in all sectors of the national economy.

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ARTICLE 7: THE RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK

A. Remuneration

49. In the Republic, work is remunerated in accordance with its quality and quantity, and not below the State-established minimum, as prescribed in article 88 of the Constitution of the Ukrainian SSR. This principle is confirmed and expanded in articles 94 and 95 of the Labour Code of the Ukrainian SSR.

50. The Constitution of the Ukrainian SSR provides that, in accordance with the principle of socialism: "From each according to his ability, to each according to his work", the State exercises control over the measure of labour and of consumption (art. 14 of the Constitution of the Ukrainian SSR). The State also promotes the intensification of the social homogeneity of society through the elimination of class distinctions and of the essential distinctions between town and country and between intellectual and physical labour (art. 19 of the Constitution). It "concerns itself with improving working conditions and with the protection of labour and its scientific organization and with reducing and ultimately eliminating all arduous physical labour through comprehensive mechanization and automation of production processes in all branches of the economy" (art. 21 of the Constitution). On the basis of increased labour productivity, the State consistently pursues a policy of raising the level of pay and real income of workers (art. 23 of the Constitution).

51. In the context of the planned management of the economy of the Ukrainian SSR, State regulation of wages ensures that workers receive equal pay for equal work. The State establishes norms for wages with the participation of the trade unions. Questions relating to wages and also to guarantees and compensations are regulated by the legislation in force, and in particular by the Labour Code of the Ukrainian SSR.

52. In accordance with the provisions of chapter VII of the Labour Code of the Ukrainian SSR, manual and non-manual workers receive remuneration in the form of money. In certain cases specified by the legislation in force, a worker may, if he so wishes, receive part of his remuneration in kind (art. 96).

53. The work of manual workers is remunerated on the basis of tariff rates (monthly salaries) fixed by the central bodies. The management of the enterprise or institution, in agreement with the trade union committee, classifies jobs in accordance with different tariff categories and workers according to categories of skill, in conformity with the provisions of the tariff (wage rates) and skills handbook (art. 98).

54. The work of non-manual workers is remunerated on the basis of monthly salary rates fixed by the central bodies. The salaries of non-manual workers is fixed on the basis of the posts they occupy and their skills (art. 99).

55. In accordance with article 11 of the USSR Law on Work Collectives and on the Enhancement of their Role in the Management of Enterprises, Institutions and Organizations, dated 17 June 1983, work collectives submit proposals concerning

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improvement of the remuneration of labour, discuss and approve proposals regarding the award of bonuses to workers and the provision of other grants and benefits, and monitor the implementation of the existing labour regulations and conditions for the remuneration of labour.

56. The Ukrainian SSR consistently pursues a policy of raising the level of pay and real income of workers. Thus, between 1976 and 1980, the pay of manual and non-manual workers increased by 16 per cent, and the remuneration of collective farm workers rose by 30 per cent. The introduction was completed of an important social measure - the raising of tariff rates and monthly salaries in the non-productive sectors. As a result, 5.5 million people received wage increases.

57. The goals of the country's economic and social development for the period 1981-1985 envisage a further increase of 12 to 15 per cent in the average earnings of manual and non-manual workers and of more than 15 per cent in the income of collective farm workers from the communal income. As labour productivity increases and resources are accumulated, it is planned gradually to increase the minimum wage, tariff rates and monthly salary rates of manual and non-manual workers. Measures are planned to improve the labour remuneration system for various categories of workers, with due regard for the complexity and responsibility of the work performed, and the conditions and intensity of work. The wage level will be made more dependent on the final results of the work of the collective and of each worker.

58. It should be noted that an important role in the formation of the real income of the population of the Republic is played by the social consumption funds which are established, in accordance with article 23 of the Constitution of the Ukrainian SSR, to satisfy more fully the needs of the Soviet people. These funds are formed from the income of enterprises and not from the taxes levied on the incomes of citizens. The State, with the broad participation of public organizations and work collectives, ensures their growth and just distribution so that all members of society may have equal opportunities to enjoy their fundamental constitutional rights. The social consumption funds provide the workers of the Ukrainian SSR with free training and advanced training, free medical care, allowances, pensions, students' grants, paid annual leave, free and reduced-rate passes to sanatoria and rest homes, funds for the maintenance of children in pre-school establishments and a number of other grants and benefits.

59. Over the past 22 years, grants and benefits from social consumption funds have increased 4.6 times. It is expected that during the period 1981-1985 social consumption funds will increase by 24 per cent compared with the preceding five-year period (1976-1980) and by 1985 will reach 25.9 billion roubles. From these funds, it is planned to increase assistance to families with children and to newly-married couples, to improve pensions and the working and living conditions of working women and to adopt a number of other measures.

60. In the Ukrainian SSR remuneration for work is not confined to pay alone. The legislation of the Republic (arts. 143-146 of the Labour Code) also provides for the encouragement of exemplary fulfilment of professional duties, achievements in socialist emulation, increased labour productivity, improvement of the quality of

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production, irreproachable work over many years, innovations in work and other labour achievements. These incentives include: public commendation, bonus or gratuity, award of gifts or recompense or of a diploma of honour and entry of the worker's name in a Book of Honour or Roll of Honour. Furthermore, manual and non-manual workers who perform their tasks successfully and conscientiously are granted privileges and concessions with respect to social and cultural services and housing and household amenities. They are favourably considered for promotion. For outstanding labour achievements, manual workers, collective farm workers and non-manual workers are awarded orders and medals, diplomas of honour, badges and titles of honour.

B. Safe and healthy working conditions

61. The Ukrainian SSR always pays great attention to questions relating to the establishment of working conditions which meet the requirements of safety and hygiene; this question is referred to, in particular, in article 40 of the Constitution of the Ukrainian SSR. The right of citizens to healthy and safe working conditions is also legally established in article 2 of the Labour Code, together with other basic labour rights.

62. An extensive system of measures to guarantee this right in practice has been developed and is being applied in the Republic. In particular, questions relating to labour protection are regulated by the provisions of chapter XI of the Labour Code.

63. In accordance with these provisions, the management of enterprises, institutions and organizations is required to ensure healthy and safe working conditions. Management is responsible for the introduction of modern safety engineering to prevent industrial accidents and for providing conditions of hygiene to protect manual and non-manual workers against occupational diseases. Management may not require a worker to perform work involving a clear risk to life, or in conditions which contravene the legislation relating to labour protection (art. 153).

64. The Labour Code of the Ukrainian SSR provides for the compulsory observance of the requirements for labour protection during the construction and operation of industrial buildings, plant and equipment (art. 154), and the prohibition of the operation of enterprises and of the mass production of models of new machines and other equipment not meeting labour-protection requirements (arts. 155 and 156).

65. Management must also ensure the necessary technical equipment for all work posts and establish working conditions in such posts that conform to the rules for the protection of labour (regulations governing safety techniques, health rules and regulations, etc.). These rules are either uniform for all economic sectors or intersectoral and are approved by the appropriate State bodies in collaboration or by agreement with the appropriate trade union bodies. Management is responsible for systematically briefing manual and non-manual workers in safety techniques, industrial health requirements, fire prevention and other industrial safety regulations (art. 157). It is required to take measures to alleviate and improve

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working conditions through the mechanization and automation of production processes and by reducing and eliminating air-borne dust and gases in industrial premises and reducing the intensity of noise, vibration and so forth (art. 158). The legislation of the Ukrainian SSR provides that officials may be held criminally liable for violations of the labour protection regulations (art. 135 of the Criminal Code of the Ukrainian SSR).

66. Among labour protection measures, great importance is attached to measures directly involving the workers. They include the issue, free of charge, of special clothing, footwear and other items for individual protection, periodic medical examinations, preventive treatment, the provision of prophylactic diets where necessary, and the transfer to lighter work of workers whose state of health so requires, with their consent.

67. Furthermore, manual and non-manual workers are required to observe the labour-protection instructions establishing the rules for the execution of work and the behaviour of personnel on industrial premises and building sites. These instructions are drawn up and approved by the management jointly with the trade union committee. The workers are also required to observe the requirements laid down for the handling of tools and machinery and to make use of the individual protective equipment issued to them (art. 159).

68. It should be noted that funds and the necessary materials for the implementation of labour-protection measures are allocated according to an established procedure. The utilization of these funds and materials for any other purpose is prohibited. The procedure for their utilization is laid down in collective agreements or in labour-protection agreements concluded between the management and the trade union committee (art. 162).

69. The Ukrainian SSR ensures strict control and supervision over the observance of labour legislation and labour-protection regulations. Under article 259 of the Labour Code of the Ukrainian SSR, these functions are exercised by: (a) specially authorized state bodies and inspectorates which are independent of the management of enterprises, institutions and organizations and their higher organs; and (b) trade unions and the technical and legal labour inspectorates under their jurisdiction.

70. Supervision in this area is also exercised by the Soviets of People's Deputies and by their executive and administrative organs.

71. The ministries and departments exercise intra-departmental supervision over compliance with the labour legislation in respect of the enterprises, institutions and organizations under their jurisdiction. Overall supervision of the precise and uniform implementation of the labour laws is exercised by the organs of the Public Prosecutor's Office.

72. Thus, State control over compliance with the regulations for safe working operation in certain sectors of industry and at certain installations is exercised by the State Committee of the Council of Ministers of the Ukrainian SSR for Supervision of Safe Operation in Industry and Supervision of Mines, and its local

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bodies, together with the technical inspection carried out by the trade unions. State health inspection of compliance by enterprises, institutions and organizations with the health standards and sanitary, hygienic and epidemic control regulations is carried out mainly by the organs and establishments of the health and epidemiological service of the Ministry of Health of the Ukrainian SSR.

73. In accordance with article 15 of the USSR Law on Work Collectives and the Enhancement of their Role in the Management of Enterprises, Institutions and Organizations, dated 17 June 1983, work collectives discuss and approve comprehensive plans for the improvement of conditions, labour protection and sanitary and health measures and monitor the implementation of these plans; they submit proposals regarding technical re-equipment, mechanization and automation, improvement of the organization and raising of the standards of production and reduction of manual, unskilled and heavy physical labour, and participate actively in their implementation; they formulate and implement measures to improve the working and living conditions of working women and to provide greater protection for mothers and children.

74. The Republic is continually taking practical steps to create healthy and safe working conditions. In this respect, particular importance is attached to the mechanization and automation of arduous and harmful technological processes, the introduction of advanced technology, the improvement of safety devices and ventilation equipment, noise control, the construction and reconstruction of health and welfare facilities, and so forth. During the period 1976-1982 alone, over 12,900 shop and production sectors were fully mechanized and automated, the number of mechanized and automatic production lines was increased 1.3 times, and so forth. During the period 1977-1982, 2.4 billion roubles were spent on labour-protection measures, which was 34 per cent more than during the previous six years.

75. As a result of the preventive measures being adopted, industrial accidents in all industrial sectors are being systematically reduced. During the period 1975-1982, the number of industrial accidents in the national economic sector was reduced by 27 per cent.

76. The country is also carrying out a broad programme of work for solving scientific and technical problems involved in labour protection. A network of scientific research establishments on labour safety and hygiene has been established for this purpose and is being expanded.

77. It should also be noted that the legislation in force provides a number of special guarantees to ensure the most favourable working conditions for women, taking account of the physical and physiological characteristics of the female organism and the social role of women in society. A special chapter of the Labour Code (arts. 174-186) is devoted to the employment of women.

78. In accordance with the Labour Code of the Ukrainian SSR, it is unlawful to employ women in arduous work or work in harmful working conditions, or for night work or underground work. It is also unlawful for women to carry or move weights which exceed the limits established for them (arts. 174, 175). A decision of the

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Council of Ministers of the Ukrainian SSR dated 25 December 1981 introduced new limits for permissible loads for women lifting or moving heavy objects by hand. The new rules significantly limit the performance of such work.

79. In the Ukrainian SSR, it is unlawful to employ pregnant women, nursing mothers and mothers with children under one year of age on night work, overtime or work on rest days or for travelling on missions (art. 176). Women with children between 1 and 8 years of age may not be assigned to overtime work or sent on missions without their consent (art. 177).

80. On the recommendation of a physician, a pregnant woman may be transferred to other, lighter work for the duration of her pregnancy, retaining the same average remuneration as in her previous post. This rule applies to nursing mothers and mothers with infants under one year of age, if they are unable to continue to perform their former work (art. 178).

81. Women are granted maternity leave lasting for 56 calendar days before and 56 (or 70 in the case of complications in childbirth or birth of two or more children) calendar days after confinement. If they so wish, and if they have a total of at least one year's service, they are entitled to leave with partial pay to look after the child until he has reached one year of age, during which period they receive a State social insurance allowance. In addition to the above-mentioned leave, women may, at their request, be granted additional leave without pay to look after a child until he reaches one and a half years of age (art. 179).

82. In addition to the normal mealtime and rest intervals, women with infants under one year of age are entitled to additional nursing breaks to feed the infant. Such intervals must be granted at least once every three hours and must be of at least 30 minutes duration. The intervals must be included in the time worked and must be paid at the average rate of remuneration.

83. By the decision dated 22 January 1981 of the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the USSR entitled "Measures to increase State assistance to families with children", working women with two or more children under the age of 12 are given, inter alia, three days' additional paid leave, priority to take annual leave in the summer or at another time convenient to them, up to two weeks' additional unpaid leave to look after the children, and other benefits.

84. More detailed information on all questions concerning the rights of women is contained in the report of the Ukrainian SSR on the implementation in the Republic of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/5/Add.11).

85. Special attention is also given in the Republic to the organization and establishment of favourable working conditions for young people. These questions are regulated by the provisions of chapter XIII of the Labour Code (art. 187-200).

86. Minors, that is to say those under 18 years of age, are regarded as adults under labour law, but in the sphere of labour protection, working hours, leave and

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some other conditions of work they enjoy privileges established by the legislation in force. It is unlawful to employ young persons under 16 years of age. In exceptional cases, it is permissible with the consent of the trade union committee to employ persons who have reached their fifteenth birthday (art. 188 of the Labour Code).

87. In order to protect the health of persons under the age of 18, they may not be employed on arduous work, work in unhealthy or dangerous working conditions, underground work, or on night work, overtime or on rest days (arts. 55, 63, 190 and 192 of the Labour Code of the Ukrainian SSR). All persons under 18 years of age undergo a preliminary medical examination before being accepted for employment (art. 191 of the Labour Code), and after that they undergo a regular medical examination every year until they have reached the age of majority. If, as a result of a medical examination, it appears that a minor is being employed on work which is contraindicated in view of his state of health, he is given other, more suitable work.

88. At the same time, the work of young manual and non-manual workers is lightened by the establishment of shorter working hours for such workers. Workers from 16 to 18 years of age work 36 hours a week, and those from 15 to 16 years of age work 24 hours a week. They are paid at the same rate as manual and non-manual workers in the corresponding categories who work normal daily hours. Manual and non-manual workers under the age of 18 are given one calendar month of annual leave in the summer, or at any other time of year if they wish (arts. 75 and 195 of the Labour Code).

C. Equal opportunity for promotion

89. The rights afforded by the Constitution of the Ukrainian SSR provide broad opportunities for all workers without discrimination to gain promotion in their work when they acquire appropriate qualifications, experience of practical work and the necessary theoretical knowledge. All workers in the Ukrainian SSR who have completed industrial training gain qualifications in accordance with the wage rates and skills handbook and are provided with employment in keeping with the skills and level of training they have acquired. If a worker is recommended for a more skilled post or for promotion, his training achievements, his general or vocational education and the completion of higher or specialized secondary education must be taken into account.

90. Those who complete their training in schools for foremen and special classes for foremen are awarded a certificate of secondary education and a certificate of attendance and have the right to take up posts as foremen or heads of production sectors at enterprises. If there are vacancies, workers who have completed courses at secondary and higher specialized educational establishments are transferred to engineering and technical posts and may hold executive posts in production (supervisors of shifts, shops, sections and even directors of enterprises).

91. Under article 247 of the Labour Code of the Ukrainian SSR, workers are appointed to executive posts in enterprises, institutions and organizations by the management, taking into account the views of the trade union committee.

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92. Under article 13 of the USSR Law on Work Collectives and the Enhancement of their Role in the Management of Enterprises, Institutions and Organizations, dated 17 June 1983, work collectives recommend members of the collective who have distinguished themselves at work for a higher skill category (class) or for promotion. Work collectives also participate in deciding matters relating to the assignment of leading workers to enterprises, institutions and organizations. These workers are assigned to and released from their posts with due regard for the views of the work collective.

D. Rest, leisure, limitation of working hours and holidays with pay

93. In the context of ensuring the right to just and favourable working conditions, as laid down in article 7 of the International Covenant on Economic, Social and Cultural Rights, great importance is attached to granting the workers guaranteed rest and leisure, reasonably short working hours, and so forth. Under article 39 of the Constitution of the Ukrainian SSR:

"Citizens of the Ukrainian SSR have the right to rest and leisure.

"This right is ensured by the establishment of a working week not exceeding 41 hours for manual and non-manual workers, a shorter working day in a number of trades and industries, and shorter hours for night work; by the provision of paid annual leave and weekly days of rest and by expansion of the network of cultural, educational and health institutions for sport, physical culture and tourism; by the creation of favourable opportunities for leisure at home and for rational use of free time.

"The length of collective farmers' working and leisure time is established by their collective farms."

94. The specifics of these constitutional provisions are laid down in the labour legislation in force. In particular, chapter IV of the Labour Code provides that the normal working week for manual and non-manual workers cannot exceed 41 hours. As economic and other essential conditions evolve, the length of the working week will be gradually reduced (art. 50). For some categories of workers, in connection with their working conditions, and also for persons under the age of 18 years, a shorter working week has been established (art. 51). In 1981, the average established duration of the working week was 40.4 hours.

95. A five-hour work week with two rest days has been established for manual and non-manual workers. Where the nature of production and conditions of work make a five-day working week inexpedient, a six-day work week with one rest day is observed. In such cases, daily working hours may not exceed seven (art. 52).

96. As a general rule, the working day is reduced by one hour on the day which precedes a holiday and weekend, and also for night work.

97. As a general rule, overtime work is not permitted by law (art. 62 of the Labour Code). Management may use overtime work only in exceptional cases,

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specified by law, and only with the consent of the trade union. Overtime work must not exceed four hours for any manual or non-manual worker on any two days in succession, nor 120 hours in any one year.

98. The Labour Code of the Ukrainian SSR (chap. 5) provides that manual and non-manual workers are entitled to a break for rest and meals, rest days and annual leave. Where the five-day working week is observed, there are two rest days each week and in the case of the six-day week, one rest day. The weekly rest period must be of at least 42 consecutive hours' duration (art. 70).

99. Work on rest days is forbidden. Certain manual and non-manual workers are permitted to work on such days, but only with the consent of the trade union committee and only in the exceptional cases specified in article 71 of the Labour Code.

100. All manual and non-manual workers are granted annual leave while retaining their posts or duties and their average remuneration (art. 74 of the Labour Code). The duration of paid annual leave for adult manual and non-manual workers is between 15 and 48 working days. In addition, the legislation provides for additional types of leave on account of harmful working conditions, long periods of work and the like (arts. 76 and 77).

101. It is forbidden to give cash compensation in lieu of annual leave, except where a worker or non-manual worker is dismissed before he has used up his annual leave (art. 83).

102. A considerable amount of work is being done in the Ukrainian SSR to develop organized leisure activities for workers and tourism and to develop treatment at sanatoria and health resorts. Trade union committees keep a record of manual and non-manual workers who require treatment at sanatoria and health resorts in order to provide them with the necessary authorization on the basis of a physician's recommendation.

103. A considerable number of sanatoria, holiday hotels and leisure centres are run by the Ukrainian trade unions themselves. Between 1976 and 1980, over nine million people stayed or received treatment at such facilities. It should be noted that almost all trips to sanatoria, holiday hotels and leisure centres are available to manual workers, collective farmers, non-manual workers and members of their families on preferential terms, at a 70 per cent discount or free of charge, from funds provided by the State social insurance system. Thus a worker spends less than one fifth of his monthly wages for a 24-day stay in a sanatorium on preferential terms. For a 12-day stay at a leisure centre, a worker spends an amount which, on the basis of the average wage, corresponds roughly to one day's pay.

104. The resources allocated by the State for these purposes are increasing every year. For example, in 1982, the sum of 167.3 million roubles was allocated from the State social insurance budget just for sanatoria and health resort services and special diets for manual and non-manual workers, while in 1970 only 80.5 million roubles were spent for those purposes.

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105. In their free time, the workers of the Republic have an opportunity to rest, to increase their knowledge, to improve their cultural level and professional qualifications and to take part in physical culture activities and sport. The trade union organizations provide clubs, leisure centres and palaces of culture, concert and lecture halls, libraries and so forth, free of charge, to manual and non-manual workers and work collectives. Each worker has the right to develop his talents and participate in amateur artistic circles and popular creative activity.

106. Many citizens of the Ukrainian SSR prefer active leisure. Every year, millions of working people take part in trips around the country and various kinds of excursions to places associated with historical and cultural events. In 1972, for example, 15.7 million people took part in trips and excursions, while in 1982 the tourist and excursion organizations provided services for over 38.3 million people.

107. Rest days, with the participation of the entire work collective, and family evenings are a common feature of life in the Republic. Mass holidays and group outings, and shows on particular themes which are attended by many thousands of people, are very popular among the population. Labour and harvest festivals, carnivals, concerts, and song, dance and flower festivals and so forth, are always a great success.

108. The Ukrainian SSR will in the future continue to pursue a policy of progressively reducing the working day and increasing leisure time, which will be used for the physical and intellectual development of the individual.

ARTICLE 8: TRADE UNION RIGHTS

109. The right of citizens of the Ukrainian SSR to join trade unions is set forth in article 49 of the Constitution of the Ukrainian SSR:

"In accordance with the aims of building communism, citizens of the Ukrainian SSR have the right to associate in public organizations that promote their political activity and initiative and satisfaction of their various interests.

"Public organizations are guaranteed conditions for successfully performing the functions defined in their statutes."

110. In accordance with these constitutional provisions, the Labour Code of the Ukrainian SSR explicitly specifies that manual and non-manual workers are guaranteed the right to join trade unions. The trade unions act in conformity with statutes which they adopt themselves and are not obliged to be registered with any State bodies. State bodies, enterprises, institutions and organizations are required to give every assistance to trade unions in their activities (arts. 2 and 243).

111. There is no regulation by the legislation in force in the Ukrainian SSR, or control by the State, of either the organizational structure of the trade unions or

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internal trade-union relations. The trade unions of the Ukrainian SSR are organized on a production basis whereby all those working in one enterprises or institution form one trade union. Each trade union consists of manual and non-manual workers from one or more related sectors of the economy. Republic and regional trade union councils have been established to co-ordinate the activities of the sectoral trade unions and to combine their efforts in the joint solution of the most important questions relating to the economy and the construction of public amenities which concern the workers of all or many sectors of the economy. At the present time, the Ukrainian trade unions have 25.3 million members, or 99.1 per cent of the total number of workers.

112. Under the trade union Statute, any citizen working at an enterprise, in transport, in construction, in agriculture or in an institution or organization, and also any student in a higher or secondary specialized educational establishment or vocational and technical training school may be a member of a trade union. The right to join trade unions is a universal right; it belongs to all citizens on an equal basis, irrespective of their origin, social or property status, racial or national origin, sex, education, language, attitude to religion, place of residence or other circumstances. The trade unions may not be dissolved by an administrative decision. The legislation of the Ukrainian SSR not only prohibits any interference by the State bodies in the activity of trade unions, but provides for the institution of criminal proceedings against persons guilty of obstructing the legal activity of trade unions (art. 265 of the Labour Code; art. 132 of the Criminal Code).

113. The trade unions represent the interests of manual and non-manual workers in the field of production, labour, welfare, living conditions and culture and, in the Ukrainian SSR, they have wide powers. They participate in drawing up and implementing State economic development plans and in the solution of questions bearing on the distribution and utilization of material and financial resources, involve the manual and non-manual workers in the management of production, in mass technical development efforts, etc.

114. The trade unions have wide powers in the solution of questions relating to the hiring and dismissal of workers, the assignment and supervision of leading executive personnel, the introduction of new technology, the improvement of wages and working conditions, the utilization of public consumption funds and the settlement of labour disputes, and in other matters relating to labour and to the welfare of the workers. In fact not a single question affecting the vital interests of workers is decided without the participation of the trade unions and due regard for their views. An increasing number of functions formerly within the jurisdiction of State bodies are gradually coming within the direct purview of the trade unions and under their daily control.

115. The trade unions exercise supervision and control over the observance of labour legislation and labour protection regulations, and exercise control over the housing and welfare services provided for manual and non-manual workers. They administer State social insurance and the sanatoria, clinics and rest homes as well as cultural and educational, tourist and sports establishments for which they are responsible.

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116. The trade unions of the Ukrainian SSR, represented by the Ukrainian Republican Trade Union Council, have the right to initiate legislation (art. 244 of the Labour Code).

117. The Labour legislation of the Republic provides additional guarantees for elected trade-union workers. Thus, under article 252 of the Labour Code of the Ukrainian SSR, a manual or non-manual worker who is elected to a trade union committee without being released from production may not be transferred to another post or have any disciplinary sanction imposed on him without the prior consent of the trade union and, in the case of the chairmen of such committees and the trade union organizers, without the prior consent of the higher trade union body. The dismissal by management of the chairmen and members of trade union committees and trade union organizers who have not been released from production is permissible only with the consent of the higher trade union body, and the general rules respecting dismissal must be observed.

118. Manual and non-manual workers who are released from their work at enterprises, institutions and organizations on their election to trade union committees are allowed to return to their former posts or duties at the end of their term of office, or, if this is not possible, are assigned to another post or other duties at the same level, or with the consent of the worker, at another enterprise, institution or organization.

119. In connection with article 8, paragraph 1 (d), of the Covenant, it should be noted that in the socialist society of the Ukrainian SSR there are no social grounds or reasons for a political confrontation between trade unions and the State, so that the trade unions have no need to resort to strikes or other extreme measures in order to defend the interests of the workers.

120. The trade unions of the Ukrainian SSR establish and maintain links and contacts with foreign trade unions grouping workers irrespective of their racial or national origin or political or religious views. The Ukrainian Republic and regional soviets, sectoral trade union committees, and the trade union organizations of enterprises, construction sites, collective farms, State farms, and higher and secondary educational establishments of the Ukrainian SSR maintain links with trade union organizations in 23 countries of the world. The trade unions of the Ukrainian SSR take an active part in the work of the sessions of the General Conference and sectoral committees of ILO, UNESCO and other international organizations.

121. The Ukrainian SSR is party to the 1948 ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize and strictly complies with its provisions. Information relating to legislation and practice in the Republic in connection with this Convention is regularly submitted in accordance with article 22 of the Constitution of the International Labour Organisation.

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ARTICLE 9: RIGHT TO SOCIAL SECURITY

122. The right of the workers of the Ukraine to "social security, including social insurance", is confirmed in many legal instruments, above all in the Constitution of the Ukrainian SSR. Thus, article 41 of the Fundamental Law of the Republic states:

"Citizens of the Ukrainian SSR have the right to maintenance in old age, in sickness, and in the event of complete or partial disability or loss of the breadwinner.

"This right is guaranteed by social insurance of manual and non-manual workers and collective farmers; by allowances for temporary disability; disability pensions, and pensions paid by the State and the collective farms for old age, disability and loss of the breadwinner; by providing employment for the partially disabled; by care for the elderly and the disabled; and by other forms of social security."

123. Pensions for workers and questions relating to State social insurance are specifically regulated by many legislative enactments, including, in particular, the 1956 National Pensions Act, the 1964 Act on Pensions and Benefits for members of collective farms, and the Labour Code of the Ukrainian SSR.

124. The National Pensions Act of 1956 is the basis for the uniform pension system in operation in the country. In accordance with this Act, citizens are paid pensions in respect of old age, disability and loss of the breadwinner. Article 1 of the Act provides that these pensions are granted and paid to all manual and non-manual workers, persons serving with the armed forces, and persons attending higher and secondary specialized educational establishments, to other citizens in the event of their becoming disabled in connection with the performance of State or public duties, and to members of the families of citizens specified above in the event of loss of the breadwinner. In accordance with the 1964 Act on Pensions and Benefits for members of collective farms, this right is extended also to collective farm workers.

125. In the Ukrainian SSR, old-age pensions amount to between 50 and 70 per cent of the worker's pay at the time of retirement, and in some cases represent up to 100 per cent of average monthly pay. Manual and non-manual workers are entitled to old-age pensions at the standard rate: in the case of men, at the age of 60, after at least 25 years' service, and in the case of women, at the age of 55, after at least 20 years' service. Manual and non-manual workers who work underground, in harmful working conditions, or in factory shops under conditions of extreme heat are entitled to old-age pensions on preferential terms: in the case of men, at the age of 50, after at least 20 years' service, and in the case of women, at the age of 45, after at least 15 years' service. In addition, women who have had five or more children and have cared for them up to 8 years of age, and other categories of persons, are entitled to receive pensions at an earlier age and after fewer years' service.

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126. Under the regulations in force, persons entitled to old-age pensions may receive the full amount of their pension while remaining at work. Thus, for example, all manual workers, junior service personnel, foremen, workers in mass communications, trade, and public catering, doctors in general health establishments, middle-level and junior medical personnel of health establishments, teachers in rural schools and many others receive their full pension while remaining at work.

127. A characteristic of the social insurance system in the Ukrainian SSR is its accessibility to the broad masses of the workers. For example, a manual or non-manual worker or a collective farm worker is entitled to material security under the social insurance system from the first day of his employment, irrespective of the nature or place of work.

128. Under article 253 of the Labour Code, all manual and non-manual workers are covered by compulsory State social insurance, which is financed by the State. The social insurance contributions are paid by the enterprise, institution or organization without any deduction from the workers' remuneration. These funds may not be used for any other purpose (art. 254).

Manual and non-manual workers and, where applicable, the members of their families, are provided with the following State social insurance benefits:

- (a) Temporary disability allowances and, for women, maternity allowances;
- (b) Birth grants, burial grants;
- (c) Old-age pensions, disability pensions, pensions for loss of breadwinner, and length-of-service pensions for certain categories of workers.

129. State social insurance funds are also used to defray the cost of the treatment of manual and non-manual workers at sanatoria and health resorts and at preventive clinics and rest homes, therapeutic (dietetic) food, the maintenance of Young Pioneer camps and other facilities (art. 255 of the Labour Code).

130. Temporary disability allowances are paid in the event of sickness or injury, temporary transfer to another post as a result of sickness, where a worker has to take care of a sick member of the family, quarantine, treatment at a sanatorium or health resort and the fitting of a prosthetic appliance, and they may amount to the full earnings of the worker concerned. In the case of sickness or injury, the allowance is paid until the capacity for work has been restored or the disability is declared to be permanent (art. 256).

131. The maternity allowance is paid for the entire period of absence from work on account of pregnancy and confinement in the full amount of the worker's remuneration (art. 257).

132. The legislation of the Ukrainian SSR does not make provision for unemployment allowances, because there is no unemployment in the Republic.

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133. State allocations to social insurance in the Ukrainian SSR are constantly increasing; this makes possible a systematic rise in the level of security of the workers on reaching old age and in the event of being unable to work, and the expansion of preventive and health activities. In 1976, for example, 2,629.9 million roubles were allocated from State social insurance funds for social security to workers, while in 1981 the amount was 3,693.9 million roubles. In the period 1976-1980, average pensions increased 16.2 per cent for manual and non-manual workers and 39.7 per cent for collective farm workers.

134. On 1 January 1980, the minimum pension for collective farm workers in respect of old age, disability and loss of the breadwinner were raised, and the benefits for persons disabled from childhood were also increased. It has been decided to provide further material incentives for pensioners working in the economy. In accordance with the Decree on raising the minimum level of pensions and other measures to improve pension coverage, issued by the Presidium of the Supreme Soviet of the USSR on 2 September 1981, the minimum pensions in respect of loss of the breadwinner has been increased, as have old-age and disability pensions. There is provision for a further expansion of old-age pension benefits for mothers with large families and mothers of persons disabled from childhood.

135. On 1 December 1981, the monthly child allowance for single mothers was increased in the Ukrainian SSR, and the period during which such allowances are paid was extended up to the child's sixteenth birthday, or eighteenth birthday in the case of students. On 1 November 1982, one-off cash grants were introduced in the Republic for mothers at work or in full-time education upon the birth of the first, second and third child, and a monthly child-care allowance, paid until the child becomes one year old, was also introduced.

136. On 1 January 1983, the old-age pension supplement for continuous service at a single enterprise, institution or organization was increased from 10 to 20 per cent.

137. There are plans to increase further the minimum old age and disability pensions for manual and non-manual workers and for collective farm workers, as well as pensions in respect of loss of the breadwinner; to continue the process of equalizing the social security conditions of collective farm workers and workers in State enterprises; to bring the level of pensions fixed previously gradually into line with that of pensions now awarded to workers in similar occupations and with similar skills; to increase State assistance to families with children; to intensify care for veterans of labour; to provide pensioners with even greater opportunities of participating in social labour; to increase the network of homes for pensioners, and so forth.
