

THE SOLIDARITY CENTER PODCAST
In Midst of War, Ukrainian Parliament Attacks Worker Rights
Host: Shawna Bader-Blau, Solidarity Center Executive Director
Guest: George Sandul, legal director, Labor Initiatives

Shawna Bader-Blau:

Hello, sisters and brothers, and welcome to The Solidarity Center podcast, an interview show that highlights and celebrates the individuals working for labor rights, the freedom to form unions and democracy across the globe. I'm your host, Shawna Bader-Blau. I'm also the executive director of the Solidarity Center in Washington, D.C. We're the largest U.S.-based international worker rights organization. We empower workers to raise their voice for dignity on the job, for justice in their communities, and for greater equality in the global economy and for one just future.

Today, we welcome back George Sandul, a labor lawyer and the legal director for Labor Initiatives, an NGO partner of the Solidarity Center and the labor movement in Ukraine that provides direct assistance to workers like helping them get unpaid wages. Labor Initiatives works closely with unions and other NGOs, analyzes labor laws and advocates for worker rights at the national level.

George joined us last in 2020 to talk about app-based delivery drivers' dynamic campaign to improve their wages and get basic protections like paid sick leave and compensation for injury on the job. Of course, a lot has happened in Ukraine since then. And the world has witnessed how much Ukrainians are suffering from Russia's indiscriminate violence and brutality, waging war on this new democracy. But attacks on democracy don't just happen from the outside.

George describes how the Ukrainian parliament is using this current moment of martial law, chaos and disaster to push through harsh legislation aimed at gutting unions and limiting workers' rights to decent jobs. It's astounding, and a literal reversal of the government's attitude toward labor and the gains George and his colleagues had made just two years ago.

Unions and Ukraine have literally invested everything to support their country. Union offices and labor halls have become shelters and refugee support centers. Their resources are now going into providing as much support as possible for their jobless members and their families as the economy collapses all around them. And in some cases, unions have even donated all their money. All their money. In return for their heroism sacrifice and commitment to country, big business and their allies in parliament want to slash workers collective rights to bargain for better wages.

With democracy under attack around the world, we see more and more governments and employers restricting the rights of workers and their ability to form unions to get a voice on the job. And so maybe it shouldn't come as a shock that powerful forces are doing this now in Ukraine, but this is not the Ukraine workers are fighting for. And as George will explain, this harmful legislation could ruin recovery efforts in Ukraine for generations once this terrible, senseless war is over.

George Sandul:

I'm George Sandul, legal director of Labor Initiatives, an NGO and Solidarity Center partner in Ukraine. So with the situation in Ukraine, the full-scale war that started in February drastically changed all our lives, as well it's changed the labor sphere in Ukraine. But unfortunately, instead of having some greater protection of labor rights, greater protection of the people who are baking bread, washing dishes, or cleaning the streets, since March, we faced their very aggressive labor reform in Ukraine.

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In March, there were passed a law that allows to suspend individual labor agreements, as well as the collective labor agreements. It already caused a lot of problem in the critical infrastructure and other enterprises. And it was used by many unfair businesses as a retaliation for the labor activists. And recently, Ukrainian parliament unfortunately passed a few laws that will drastically narrow labor rights in Ukraine. And instead of making this protection greater because the home front is now as well as frontline, is so important to produce goods to protect people's lives.

We face the different situation. One of the law drafts that already was signed and become a law, it excludes military persons who are conscripted to the army of their average wage. Previously by their current labor code, people who serve in the military, they should receive their average wage on their civil position. By this law, it was canceled. It already caused an outrage throughout the military community, throughout the labor experts and so on. And it may lead to very unpredictable consequences.

Other law that was promoted before the war, like in 2021, it basically excludes all the people who are working on the small and medium enterprises in Ukraine. It's very big threshold, it's 250 person from the general labor legislation. And it phrases that individual labor contract, it's the main basis of regulation of labor relationships on such enterprises. It doesn't cancel at all freedom of association or collective bargaining. But in fact, it neglects the collective measures of labor protections.

Other law that already passed the parliament introduced the zero hour contracts. We saw that in numerous countries, zero hour contracts caused a lot of problems for workers, for their well-being as employees, but also for their mental health because you don't know when you will have work, when you should work. And considering constant air sirens, everybody in this country already has post traumatic syndrome and they will have also the post traumatic syndrome of this zero hour contracts.

So, the main discourse of this reform it was to promote something that cannot be passed before the war, because now unions are restricted by their rights to strike, right to peaceful assembly. It's of course, logical under the martial law. But unfortunately some lobbyist groups promoting such laws that contradicts European integration intention of Ukraine, but also the economic well-being of Ukraine in general.

So the discourse of reform was well described by one of my union friends. They said that while we are protecting our country, they put a knife in our back. So it was very cowardly and it was as one of the lobbyists of the reform said, it was the window of opportunity while unions cannot oppose this reform. Because only instrument we have now, it's media instrument, like we're now recording this podcast. It will be also our media instrument to somehow influence this processes.

But at the end of the day, if all those laws will be in act, we will have situation when people should individually negotiate about rights that are prescribed by all those international documents Ukraine already ratified. And it will undermine the very existence of employers, employees rights in Ukraine. And also we have giant problem with migration in Ukraine because many millions of people leave Ukraine.

And what will be the motivation of people to work on this. For example, small and medium enterprises here, if they will be not protected, if they will have basically at-will employment, if they will have zero

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hour contracts, if they may put in the individual labor contract that you will work 80 hours per week? There will be no motivation to rebuild Ukraine. There will be no workforce here. So, basic protection for labor rights, it's the basics for rebuilding of Ukraine after the victory.

We are hoping it'll come very soon. But what we should do now, as unions, as labor movement in general, it's just raising awareness, it's media campaigns. And nobody restrict us of the collective bargaining. And we already saw good examples when we can bargain something with the big corporations and so on. The very crucial point here is to have this organization that we try to promote, like that Solidarity Center promoted before the war. Because only hope for you it's to join the big unions, the active unions that may defend your rights.

And even under the circumstances, if unfortunately, such laws will be enforced, you also have this instruments of collective protection of your rights. And that what we're focusing now, because even in worst case scenarios with those law drafts, we're already not afraid of them because union movement not afraid of the missiles of the everyday challenge of the Ukrainian peaceful cities. And we will derive some creative, new strategies. But unfortunately, this discourse of the labor reform, it continues and it promotes by some groups in parliament, some business groups and so on. But we will overcome it, like this awful war.

And I hope that after the war, those regulations that were imposed and they are intended to be enforced just under the martial law, they will vanish. But, unfortunately, there are suspicious that this unfair businesses will put it after the war. But like Ukrainian society, it prove its ability to self-organize this giant voluntary movement, which Labor Initiatives is proud to be a part of deep root we may organize. And it's the cornerstone to oppose any labor reform and promote something good for workers. And it'll be good for economy in general and for the rebuilding of Ukraine.

Shawna Bader-Blau:

George's call to action is something that everyone around the world can understand, a call for workers to join together through their unions and to stand up to these kinds of attacks on their rights to safe jobs, decent wages and fair work contracts—because worker rights are essential for any free and fair society. That is what democracy truly looks like. We have links to resources that support the Ukrainian labor movement and to George's first appearance on this podcast in the show notes. You can follow and subscribe to The Solidarity Center Podcast on Apple Podcasts, Spotify, or wherever you find your shows.

Learn more about the Solidarity Center at solidaritycenter.org and follow our social media on Facebook, Twitter and Instagram. The Solidarity Center Podcast is a member of the Labor Radio Podcast Network and our show is produced and engineered by Adam Yoffe. A special thanks to the staff of the Solidarity Center who assisted with this podcast. In more than 60 countries around the world, we work to ensure a righteous future for workers, dignity, freedom, equality and justice. For The Solidarity Center Podcast, I'm Shawna Bader-Blau. Thanks for listening.