

On 24 February 2022, after the Russian Federation launched a full-scale military invasion of Ukraine, Ukrainian government declared the martial law.

It affected various spheres of life of Ukrainians. Lots' of Ukrainian enterprises cannot continue to work due to active hostilities, destruction and disruption of logistics. Millions of Ukrainian citizens were forced to leave their homes, more than 1,4 million of them are registered as the internally displaced persons and almost 5 million left Ukraine. In addition, mobilization continues.

Therefore, the government had to respond to the situation immediately and adapt legislation to such difficult conditions in order to ensure the possibility of enterprises' activity, employment of population and support of country's economy.

Recently a special employment legislation has been adopted to regulate the rising number of labor-related issues. The Law of Ukraine "**On Labor Relations During Martial Law**" No. 2136-IX, which became effective on 24 March 2022 ("**the Law**"), defines the key features of employment relations for the period of martial law (until 24 June 2022 as of the date of publication).

The Law provides for the following amendments:

The form of employment agreement	Set by the parties, the written form is not obligatory;
Probation period	May be established for any category of newly hired employee;
Maximum working hours	Increased to 60 hours per week (in case of reduced working hours - to 50 hours per week);
Fixed-term employment agreements	Conclusion of fixed-term employment agreements with employees substituting employees absent because of evacuation, temporary disability, etc. is possible;
Amendment of employment conditions	During the war the Law allows employers to transfer the employees (under certain conditions) to another position without the employee's consent, and amend the employment conditions without notification;
Distant work	Employer is not obliged to relocate and/or evacuate its employees to the safer place in the event of any military actions. However, the employees in Ukraine are granted safe working environment. Therefore, in case of necessity, employer has the right to establish a distant work regime for its employees, expressly allowing them to work from home or any other place of their choice (including abroad);

Vacations	In case the employee performs work at critical infrastructure facilities, the employer has the right not to grant vacation to him/her (except for maternity leave vacation). Provision of unpaid vacation at the employee's request is also possible. In this case the restrictions applicable to the vacation's maximum duration is not taken into account;
Salary	Under certain circumstances employer is released from liability for failing to pay a salary in time. Release from payment of salary in a timely manner does not mean release from obligation to pay the salary off. In addition, the employer is enabled to suspend payment of salary if making of such payments are not possible due to military action/other force majeure circumstances. The aforementioned suspension remains until the company returns to its normal business activity;
Termination of employment	at the employer's initiative – termination of the employee during temporary disability or vacation (with certain exceptions) is possible; at the employee's initiative – is possible on the date mentioned in the relevant employee's application, no need in the prior two weeks' notice;
Suspension of employment agreement	It is set as a temporary measure, possible based on initiation of employer or employee, and does not mean termination of employment agreement. Under the Law, the reimbursement of salary, guarantee and compensation payments to employees for the period of suspension of employment agreement in full is entrusted to the state, which carries out military aggression against Ukraine.

Note, that the aforementioned limitations of some rights and guarantees of employees as well as establishment of some new options for employers are set only for the period of martial law.

**For more details feel free to address
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