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ON THE FEATURES OF OCCUPATIONAL SAFETY AND HEALTH IN AGRICULTURE

Legal support of the right to adequate, safe and healthy working conditions in agriculture is carried out not only by labor law, but also, for example, by civil, agricultural, administrative law, etc. That is, within our country there is a legal mechanism that not only provides a definition of such right, but also guarantees and protects it from attacks.

In agriculture, a person has limited impact on production processes. This is determined by the fact that the objects of activity in the industry are the living organisms, namely plants and animals; their biological processes take place according to certain laws of nature and objectively require adjustment of production rhythm to the rhythm of nature. Activity in agriculture is characterized by its specificity. It is characterized by its own specific features, including the following ones: a) the land is the main means of production; b) an important characteristic of agriculture is soil fertility; c) dependence on the weather and climate conditions; d) specificity of application of seasonal work; e) problems of enhancing urbanization. The most important feature of agricultural enterprises is relations between members of the enterprises on soil cultivation.

Public relations arising during provision of occupational safety and health in agriculture have signs of homogeneity and separation. The peculiarity of these relations is peculiar only to them subjective structure, which is the basis for the

reference not only to the subject of labor law but also to the subject of the agrarian law. Sign of homogeneity of these relations is manifested in the fact that despite the variety of functions (sanitation, organizational, technical, medical and socio-economic) their main purpose is the protection of rights in the agricultural labor. Only the totality of these measures and means can help achieve maximum results in the health and safety through their interaction and combination. F.M. Raianov supports this view and claims that the fastening basis of various social relations is the creation and maintenance of healthy and safe working conditions in agriculture. This fastening basis makes them so distinctive that they together form the subject of legal institution of a special quality.

As a general rule the labor relationship between the employee and the employer arise on the basis of conclusion of the labor contract. However, in some cases there are exceptions, such as a farming enterprise, because it can be created by one citizen of Ukraine, or more citizens of Ukraine, who are relatives or family members. Labour relations that occur in it are governed by the Charter of the Farming Enterprise (Article 1 of the Law of Ukraine "On Farming Enterprise"), and therefore a labor contract is required. However, members of enterprise may hire employees according to the terms of the employment agreement (contract).

Thus, the legal nature of labor in agriculture is based on the state's recognition of the rules and standards relating to occupational health and safety for the employees' protection during the performance of their duties. The main purpose of this recognition is to guarantee the life and health of workers in agriculture and efforts to maintain a high level of efficiency of the worker. Occupational health and safety in agriculture serves as a part of labor law, which is a set of commonly defined rules and standards that set forth the rights and obligations of the parties to the relationship, the primary objectives of which is preservation of life and health of employees who work in the agricultural production.