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THE ROLE OF THE NATIONAL SERVICE MEDIATION AND RECONCILIATION IN THE NEW LABOUR DISPUTE RESOLUTION SYSTEM IN UKRAINE

The article defines the legal status of the National mediation and reconciliation service from the point of view of such characteristic features as legality and legitimacy of a governmental body, public legal nature, actions of officials having special powers, administrative and territorial division of the system of governmental bodies, governmental enforcement.

The author emphasizes that by using its powers the government being represented by the National mediation and reconciliation service makes the government's interest compulsory and realizes it through special bodies enforcing it indirectly if it is necessary. Specific nature of governmental enforcement in the activities of the National mediation and reconciliation service is connected with its specific legal status, which is supposed to mitigate contradictions instead of aggravating them.

In the new conditions the role of the National mediation and reconciliation service should be changed considerably. It is presupposed that the National mediation and reconciliation service will acquire additional powers, functions and rights concerning extrajudicial labour disputes resolution via establishment of a corresponding structural unit, which will be financed in order to

exercise the following powers, functions and rights:

- contribution to labour dispute resolution;

- organization of labour arbitration courts, securing the execution of their resolutions;

- appointment of independent mediators and support of their activities;

- formation and introduction of the National labour dispute register;

- providing for professional training of independent mediators and labour arbitrators, introduction of registers of labour arbitrators and independent mediators;

- normative and legal support of labour disputes resolution;

- prognostication of labour disputes and their prevention;

Institutional development of the National mediation and reconciliation service, i.e. expansion of its potential, its organizational, legal, economic and personnel possibilities in the system of labour disputes resolution, must create an efficient mechanism of labour disputes resolution based on best European standards and experience that will be used by employers and trade unions in their social dialogue and dispute resolution, while the government will secure basic rules and give basic tools for their final resolution.