

tive labour disputes (conflicts). There is a necessity of improvement of order of decision of collective labour disputes, conflicts, by acceptance unique was codification normatively legal act, that called to regulate all spheres of social labour relations. The institute of collective labour dispute, conflict, found fixing in the project of the Labour code of Ukraine, however decided is a far of problems. Debatable and not decided are yet quite a bit questions, in particular: determination of general and excellent signs between concepts collective labour divergence, collective labour dispute but a collective labour dispute, analysis to the conflict stage of decision of labour divergences, realization of guarantees, is for the participants of organs establishment of legal mechanism of implementation

of decisions of conciliatory commissions and labour arbitration, improvement of grounds and order of confession of strike, illegal, and also clear determination of law consequences of illegal strikes. The analysis of practice of decision of labour disputes rotined in Ukraine, that individual labour spores are concentrated on the judicial order of their decision, and collective labour spores, opposite, the extra-judicial order of settlement of labour disputes and deprived possibilities of consideration have only in a court. As labour spores decide instances and courts of different jurisdiction, a legislative base in relation to questions, related to the labour spores, is not systematized; there is a necessity of reformation of the system of decision of labour disputes for Ukraine.

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LEGAL REGULATION OF LABOR CONTRACTS AS A FORM SUSTAINING WILL OF THE SIDES

In the labour law of Ukraine in the legal regulation of labor relations, the terms «termination,» «termination of contract» and «dismissal» are used.

The term «termination» shall include all grounds for termination of employment, labor law and provided a basis as events such as the death of the employee (in connection with the death of an employee is excluded from the list of employees, the employment contract is terminated).

The term «termination of contract» applied only to cases where the con-

tract is terminated at the initiative of either sides and it means the termination by unilateral will of the employer or the employee, and at the request of the trade union body.

The term «dismissal» meets the technical design procedure has terminated the employment relationship. However, the term «liberation» is also applied to all cases of termination, if it is only an employee and means the same thing as the term «suspension» in relation to the employment contract. Dismissal of an employee (except in the case of death of

the employee) is also the termination of the employment contract defines the procedure for termination of employment of an employee.

Termination of the employment contract is valid only if the following conditions are met:

1) on the grounds provided by law termination;

2) according to a certain order of dismissal for a specific reason;

3) is a legal fact of termination of the employment relationship (Order of the owner, the request of the employee, the act of a third party – the court, the draft board).

Grounds for termination are those circumstances determined by law as legal evidence for termination. Labour legislation of Ukraine provides the only common grounds for termination of employment contract (Article 36 of the Labor Code). For some categories of workers in the legislation established a number of additional grounds (Article 37, 41 of the Labor Code and other Acts). Grounds for termination are classified by subjects

and divided into general, applicable to all employees and applications that apply only to certain categories of workers defined by law. The grounds for termination must be distinguished from removal. The term «suspension of work» does not mean termination of employment with the employee and their suspension of legislation envisaged in exceptional cases, usually without payment of wages during that time. With the removal of the employee from work temporarily perform their work functions. Exceptional cases of suspension from work of employees defined in article 46 of the Labor Code and other legal acts.

Thus, the legal regulation labor contract extends for an indefinite amount of employment, regulating behavior by means of contracts, the application of labor law, which is designed for a particular situation, relationship, which is intended to provide a single order, the stability of the legal regulation of the employment contract, takes into account certain legal situation.

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SPECIFICS OF THE JUDICIARY IN UKRAINE: THEORETICAL AND LEGAL ASPECTS OF SEPARATION OF POWERS

Characteristics or even mandatory element of modern democracy and legal state is the separation of power's branches. In Ukraine, this system at the constitutional level provides separation of powers into three branches – legislative, executive and judicial. Proper im-

plementation of the principle of separation of power is carried through system of checks and balances, which is a set of forms and methods of the mutual influence of one branch to another. Due to this such institutes are used as: impeachment of president, dissolution of Parliament,