

A. Kurova
Master,

Yaroslav Mudryi National Law University

COMMON LEGAL GROUNDS FOR BRINGING EMPLOYEES TO DISCIPLINARY RESPONSIBILITY

This article explores the common grounds for bringing employees to disciplinary responsibility. It provides definitions of the concepts of labor discipline and disciplinary offense. Analysis of current legislation on labor and draft Labor Code governing the employees' discipline is carried out. The composition of misconduct is also given in the article. The relevance of this theme is determined by the fact that government policy is aimed at providing basic tasks – the observance of the rights of citizens and society. However, attention is rarely paid to economic agents and the employer as a subject of state protection and additional support. That is why one of the most effective ways to protect employers from unfair and dishonest employees is labor discipline, internal labor order and legal mechanism of bringing employees to disciplinary responsibility for violation of labor discipline.

Institute of disciplinary responsibility is the subject of research of many schol-

ars. However, given the current reform of labor legislation, the issue of the legal basis for bringing employees to disciplinary responsibility requires further analysis, including critical one.

The article provides the definition of disciplinary responsibility, determination of legal grounds for disciplinary responsibility, clarification of the main issues in contemporary legal regulations for disciplinary proceedings.

The conclusions are made that common grounds for bringing to disciplinary responsibility are the presence of misconduct, compliance with the terms provided by applicable law. It is revealed that the current Labour Code of Ukraine is imperfect and outdated. Its provisions do not specify all grounds for bringing to disciplinary responsibility for disciplinary offenses. Draft Labour Code specifies the procedure of bringing to responsibility but does not fully reflect all the constituents of a disciplinary offense.