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### **SOME QUESTIONS OF EXTENDING THE SCOPE OF LABOUR LAW**

The aim of this publication is to analyse the prerequisites for extending the scope of labour law and its transformation taking into account modern concepts of protection of parties' rights in social and labour relations.

According to the author, the nature of labour relations is guided by a dual tendency: the labour relations should ensure the subordination of workers to existing at an enterprise, institution, or organization rules and directly to the employer, on the other hand, provide a degree of cooperation between employers and employees through which the optimum labour organization rules should be created. Therefore, a consideration of individual and collective relations in the context of the subject of the labour law exclusively according to the logic of primary and secondary actually results in the fact that secondary becomes an important component related to the social dialogue on two-party or three-party basis. After all, the social dialogue is a guarantee of social and labour rights and freedoms, limiting groundless encroachment on the rights of parties to the labour relations. Thus, the individual labour relations arise on the basis of the existing

social and labour agreement of a collective nature and, therefore, it becomes somewhat arbitrary to apply the "primary" category to the individual labour relations.

From another point of view, the presence of individual labour relations is the beginning of direct relations between employer and employee. All other relations, including collective, are of secondary importance since they only provide the activity of primary relations. Collective labour relations are of primary importance since they create the legal basis, a prerequisite for an employment contract on equal terms, since they significantly strengthen the position of the employee, they encourage the employer to the proper implementation of labour rights. In Ukraine, a significant part of collective relations is strained, since the latter often appeared on the initiative of the employer and his organizational advantage. Therefore, the mere presence of collective relations becomes the guarantee of the protection of workers' rights only in the case when the employees "have taken in" its main provisions, have worked out self-defence mechanisms. But unfortunately, it has not become systematic in the national legal space.