

this motion in order to ensure the absence of bias. If there are no other judges in this court then such motion should be transferred to another court where another judge will adjudicate this motion. In practice such situations can cause unreasonable delays of the trial especially taking into account the fact that now there are a lot of courts in our country where the power of judges is limited because they waiting for the qualification exams. In our opinion, the recusal procedure should be improved.

So, impartiality of the court is an important element of the right to a fair trial. Judges are public officials who together comprise the separate and independent branch of government, whose constitutional role is to serve as impartial guardians of law. The requirement of the impartial judiciary embraces both subjective and objective elements. The public opinion that justice is impartial creates the foundation for the confidence which citizens must have in their judicial system.

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TRADE UNIONS AND THEIR LEGAL STATUS IN LABOUR RELATIONS

Anastasiia Tykhonka, student

Oksana Hirnyk, Associate Professor (Law), Research Advisor

Natalia Hrynya, Associate Professor, Language Consultant

Lviv National University after Ivan Franko

The development of market relations leads to a deterioration in the level of social and legal guarantees of employees. Therefore, the activity of the bodies and organizations, which can provide protection of the rights and interests of working people, becomes more important. These organizations are trade unions.

The right to unite in trade unions is one of the most important right in a civilized society, and realization of this right shows the level of democracy in society.

The purpose of the research is to analyze the legal status of trade unions, their rights and responsibilities in the field of labour relations.

The legal status of trade unions is defined by the Constitution of Ukraine, the Laws of Ukraine "On Public Associations", "On Trade Unions, Their Rights and Guarantees of Activities", "On Collective Contracts and Agreements", the Code of Labour Laws of Ukraine, and other legislative acts.

Under Article 36 of the Constitution of Ukraine workers have the right to unite in trade unions. The purpose of participation in such organizations is the protection of labour, social and economic rights and interests of members of the trade union.

Under Article 1 of the Law of Ukraine "On Trade Unions, Their Rights and Guarantees of Activity", a trade union is a voluntary, non-profit organization that unites citizens with common interests, concerning their professional activity.

Having analyzed the provisions of the Code of Labour Laws of Ukraine and the Law of Ukraine "On Trade Unions, Their Rights and Guarantees of Activities", we can identify a number of fundamental rights of trade unions. Trade unions and their associations represent the rights and interests of trade union members in state bodies and local self-government bodies, both in relations with employers and other associations of citizens. They take control over the implementation of collective agreements. Moreover, trade unions and their associations protect the right of citizens to work and take part in the development and implementation of state policy in the field of labour relations, labour and social protection. Trade unions and their associations make proposals for the adoption or amendment of laws and other legal acts on the issues of formation and implementation of state social and economic policy, regulation of labour, social and economic relations. They also take public control over wages, compliance with labour legislation and legislation about labour protection, the creation of safe and harmless working conditions, proper industrial and sanitary conditions.

Trade unions may create educational and cultural establishments, research, social and analytical institutions, as well as legal, statistical, sociological training centres and centres of independent expertise. They do it to solve typical problems of trade union movement, training, retraining and professional development of trade union personnel. The main purpose is protection of rights and interests of trade union's members.

In addition, trade unions and their associations take part in environmental protection, protection of population from negative environmental impact, promote the activity of public environmental organizations, may conduct public environmental assessments, carry out other activities not prohibited by law in this area. Furthermore, trade unions perform other important functions in labour relations.

Under Article 246 of The Labour Code of Ukraine primary trade union organizations may participate in labour relations. They represent their members and protect their rights and interests. Elected bodies or trade union representatives are authorized to represent the interests of members of the union. Thus, a trade union representative takes part in labour relations, if the elected bodies aren't formed.

Considering all the points, we may conclude that during the years of independence of Ukraine, a revival of trade unions has taken place. Trade unions have significantly intensified their protective function. They have an influence on legislative activity in implementing economic reforms. Issues concerning the consolidation of such a legal status of trade unions remain relevant. It is necessary

to provide legal means ensuring the independence of trade unions from traders. For instance, the experience of such countries as the USA and Denmark can be useful. Their legislation prohibits the inclusion of trade unions composed of employees, persons belonging to the administration. Thus, the disinterest of representation of the parties must be maintained.

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