

SECTION 1

CONTEMPORARY ISSUES OF DEMOCRATIC SOCIETY DEVELOPMENT. DEMOCRACY THROUGH LAW. CHALLENGES FOR DEMOCRACY IN WARTIME

ANNUAL BASIC LEAVE AND ITS LEGAL REHULATION

YULIA ANDRUSIV, student

IHOR FURYK, Associate Professor, Scientific Adviser

LILY KUZNETSOVA, Associate Professor, PhD in Philology, Language Adviser
Ivan Franko National University of Lviv

Problem Statement. The right to annual vacation is an important part of the employee's legal status and ensures their constitutional right to rest. Annual leave is granted in order to restore employees' health and ability to work, to meet their personal needs and interests, and to compensate for the physical and psychological stress that occurs during the working year.

The topic of annual basic leave is very relevant in the field of labor relations, as it concerns the rights of employees and their relations with employers.

Objectives. The purpose of the study is to provide a comprehensive analysis of the concept of annual basic leave at the general theoretical level, to determine its place and role in labor relations, and also to form a holistic concept of legal understanding of the phenomenon of annual basic leave.

Methods. Vacation is a long type of rest period that provides for temporary paid or unpaid release by the employer of the employee from the performance of labor duties for a period established by law or agreement of the parties, but not less than the number of calendar days specified by law, with the employee retaining his or her job for this period.

All citizens of Ukraine who are in an employment relationship with enterprises, institutions, organizations, regardless of their form of ownership, type of activity or industry, and who work under an employment contract with an individual, have the right to vacation. Foreign nationals and stateless persons working in Ukraine have the same right to vacation time as Ukrainian citizens.

Annual leave is one of the types of leave that can be used by an employee who is in an employment relationship with an enterprise, institution or organization, regardless of ownership, type of activity or industry, and who is employed under an employment contract with an individual.

Providing annual leave to employees is necessary in view of the needs of the human body, which needs rest to restore its performance, strengthen and improve its health. Long-term absence of an employee from work is beneficial not only for the employee but also for the employer, as it helps to increase his or her overall

performance and reduce the number of days of absence due to illness. In addition, a long break from work is useful for emotional relief for employees.

Also, the duration of the vacation is different for all categories of employees. That is, this leave may be minimum or extended. The minimum leave determines the minimum duration of annual basic leave that an employee must receive for the year worked.

The classification of annual leave is important for legislative regulation, as it is a necessary element of effective legal regulation in this area. A scientifically based and clear classification helps to avoid mistakes and omissions in the formation of system, which can lead to both law enforcement and rulemaking problems. Therefore, below we will consider the system of dividing annual leave into types.

One of the key features of annual basic leave is that it is available to all employees who have an employment agreement with any enterprise, institution or organization, regardless of the form of ownership, type of activity or field of activity. This also applies to employees who work on the basis of employment contracts with individuals.

Features of annual basic leave:

1. It is granted only if the employee is in labor legal relations with an enterprise, institution, organization, regardless of the form of ownership;
2. Is granted once a year for the duration determined by law, collective or labor agreement;
3. The duration of the annual basic leave is differentiated depending on the duration of the annual basic leave is differentiated depending on the category of employees and type of work;
4. The employee retains his/her job and average earnings;
5. Its purpose is to allow an employee to take a break from his/her work for a certain period of time, to rest from his/her labor duties, and to satisfy his/her personal needs and interests;
6. Vacation is guaranteed by the state;
7. An employee cannot refuse to take a vacation.

Results. Overall, we have defined the basic concept of annual basic leave, its purpose, and the legal regulation by the laws of Ukraine. In addition, the author formulates a holistic concept of legal understanding of annual leave based on the essential features of this phenomenon and takes into account the trends in the development of social relations in the field of labor.

Conclusion. Because of the analysis of scientific articles and provisions of the current legislation, and the study of the emergence and development of legal regulation of annual leave, the author has determined that annual leave is a certain type of off-duty time which has its own characteristics and differs from other types of recreation. Vacations have certain conditions and procedures for their granting, which are also stipulated by law, agreement, collective bargaining agreement or employment contract. These conditions may include such parameters as the

procedure for applying for leave, the deadline for granting leave, its duration, the terms of payment of salary during the leave, and others. Vacations are a matter regulated by law and are provided for in laws and other legal acts.

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PRINCIPLES OF THE TENDER PROCEDURE IN CIVIL SERVICE: CONCEPT, TYPES AND CHARACTERISTICS OF APPLICATION

ROMAN BABANOV, student

ALLA. I. RADU, Associate Professor, PhD in Philology, Legal English Supervisor
Ivan Franko National University of Lviv

There are many different approaches to defining what the principle is. Some academics, for example, S. I. Zhurakhovych, interpret it as something that underlies a certain set of facts, theory, or science [9]. Other scholars, for instance, V. I. Shinkaruk, assume it as a fundamental statement, a starting point, the basis of any theory or concept. Also, many researchers believe that the principle is a central concept, a fundamental idea that permeates a certain system of knowledge [8, p. 519].

From the legal point of view principles are basic ideas characterised by universality, general significance, and supreme imperative, they reflect the essential provisions of the system of public and private law, politics, state or public organisation [7]. Principles of law determine the ways of improving legal norms, they act as guiding ideas (guidelines) for the legislator. They link the basic laws of the society development and those of the legal system. Thanks to legal principles, the legal system adapts to the most important interests and needs of individuals and the society.

The main goal of this paper is to summarize and organize all the materials on the principles of the tender procedure in civil service and to analyse them by comparing the principles of the civil service.

The need for a comprehensive study of the tender procedure requires the study of the legal principles as far as this procedure is carried out on their basis. Exploring the principles of civil service, S. V. Kivalov notes that principles are