

Problems and judgements

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MEASURES OF PROTECTION IN THE LABOR LAW

The article is devoted to identification of the legal nature and the content of the legal category which is called "measures of protection."

The author argues that since the protection of subjective rights and legitimate interests by some measure of protection is an objective necessity, the science of the labor law faces the task to thoroughly identify measures of protection of these rights and mechanisms for their implementation. This gives particular relevance to the topic of the research.

The article explains the definition of the "measures of protection" as some special measures which aim at restoring the violated labor rights or enforcing the implementation of unfulfilled responsibilities by the subjects of labor relations that do not provide them, without imposing on them any additional duties.

Also, the author gives the basic characteristics of measures of protection and criteria with the help of which protective measures may be distinguished from the measures of legal liability as a part of employment relationships.

The analysis of the Ukrainian legislation in the above mentioned area proves that it is necessary to legally consolidate the concept measures of protection, specify their types and grounds for the application and implementation mechanisms.