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## **Discrimination in the aviation sphere in Ukraine**

*Nowadays, the issue of combating discrimination in all spheres of human life is extremely important and relevant, so this publication offers a review of this phenomenon in the field of aviation.*

In order to consider in more detail the problem of this phenomenon, I propose to first understand the very concept of discrimination. Discrimination is a situation in which a person and / or group of persons on the grounds of race, color, political, religious and other beliefs, sex, age, disability, ethnic and social origin, citizenship, marital and property status, place of residence, language or other features that were, are and may be valid or presumed (hereinafter - certain features), is restricted in the recognition, exercise or use of rights and freedoms in any form established by this Law, except when such restriction has a legitimate, objectively justified purpose, the ways to achieve which are appropriate and necessary [1].

Acts of discrimination can be open or secret, they can be widespread, committed by individuals or anonymous groups, they can be isolated or systematic, minor (for example, in jokes) or serious, causing mental, material or physical harm to victims.

Analyzing this problem, you should also know the forms of discrimination, such as:

1) direct discrimination - decisions, actions or omissions that lead to the case when a person and / or group of persons on their certain grounds are treated less favorably than other persons in a similar situation [2];

2) indirect discrimination - decisions, actions or omissions, legal norms or evaluation criteria, conditions or practices that are formally the same, but during the implementation or application of which restrictions or privileges arise or may arise in respect of a person and / or group of persons signs, unless such actions or omissions, legal norms or evaluation criteria, conditions or practices are objectively justified in order to ensure equal opportunities for individuals or groups of persons to exercise equal rights and freedoms granted to them by the Constitution and laws of Ukraine [2];

3) incitement to discrimination - instructions, instructions or calls for discrimination against a person and / or group of persons on certain grounds [2];

4) harassment - undesirable behavior for a person and / or group of persons, the purpose or consequence of which is the humiliation of their human dignity on certain grounds or the creation of such a person or group of persons tense, hostile, abusive or degrading atmosphere [2].

In Ukraine, the conclusion of written employment contracts in the transport sector, in particular in aviation and railways, has become quite common. This action causes labor discrimination in the aviation sector. Employers actually force employees

to sign such a contract, the provisions of which have negative rather than positive consequences. Forgetting that an employment contract can be concluded only with certain categories of employees [3].

In addition, for a long time, the aviation industry, in particular regional airports as economic entities, operate under a discriminatory tariff policy, which contradicts the development strategy of our country's regional airports. The Ministry of Infrastructure of Ukraine is returning a fair level of the rate of payment for air navigation services on the approach and in the area of the aerodrome, which operated until June last year and is clearly calculated according to the principles of Eurocontrol. The validity of the new rate - the same for all airports across the country - has been confirmed by the Central Bureau of Route Fees of Eurocontrol. In addition, the Ministry of Infrastructure of Ukraine held consultations in public authorities with airspace users and other participants in the aviation market [4].

As for labor discrimination, the main social danger of the employment contract is that it contains a fixed term. This feature is "discriminatory" in relation to the employee and gives significant benefits to the employer, especially when it comes to short-term contracts (1-3 years). Analyzing the practice of labor relations, the main reason for not extending the employment contract is the fact that the employee did not live up to the expectations of the employer, did not fulfill contractual obligations, violated the law, did not follow the rules of ethical conduct, etc. Therefore, the employee strives to make a good impression on the employer, and the latter has the opportunity to manipulate him [3].

So, unfortunately, many flight attendants complain that they have to put up with obscene remarks or behavior of their colleagues or managers. We have to say goodbye to timely payment of wages and a stable schedule, and the weekend can be completely forgotten. As the contracts with aviation employees do not clearly stipulate the terms of remuneration and material support, the mode of operation is not defined. Moreover, even with the release of aircraft for problems. Most often, employment contracts prescribe a completely "non-child" amount of material damage that the employee must pay to the employer in the event of early termination of the contract through his fault. Airlines motivate the amount of compensation for the fact that before hiring, the future employee was trained at the expense of the employer, and therefore must fully "work out" the money spent on it [3].

## **Conclusions**

Therefore, this issue needs to be addressed and addressed immediately. Our legislation is not developed enough to eliminate this problem and fully protect the rights of aviation workers. However, the positive aspect is that the authorities and the relevant state bodies are still trying to counteract the spread of this phenomenon by adopting appropriate laws that help to regulate relations in this area at a decent level.

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