

SUBJECTS OF COLLECTIVE LABOR DISPUTES

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ABSTRACT

The subject of a collective labor dispute are employees (their representatives) on the one hand and employers (their representatives) on the other. At the local level, the subject of a collective labor dispute may be employees of the organization, branch, representative office, other separate structural subdivision. Workers united to certain groups according to other criteria (shift workers, workshops, a certain profession, trade union members), cannot be subject to collective labor dispute.

АННОТАЦИЯ

Субъектом коллективного трудового спора являются работники (их представители) с одной стороны и работодатели (их представители) с другой. На локальном уровне субъектом коллективного трудового спора могут являться работники организации в целом, филиала, представительства, иного обособленного структурного подразделения. Работники, объединенные в определенные группы по иным критериям (работники смены, цеха, определенной профессии, члены профсоюза), не могут быть субъектом коллективного трудового спора.

ANNOTATSIYA

Kollektiv mehnat nizosining predmeti xodimlardir (ularning vakillari) bir tomondan, ish beruvchilar (ularning vakillari) boshqa tomondan. Mahalliy darajada jamoaviy mehnat nizosining predmeti umuman tashkilotning, filialning, vakolatxonaning xodimlari bo'lishi mumkin; boshqa alohida tarkibiy bo'linma. Ishchilar birlashdilar boshqa mezonlarga ko'ra ma'lum guruhlarga (smenada ishchilar, ustaxonalar, ma'lum bir kasb, kasaba uyushma a'zolari), bo'ysunishi mumkin emas jamoaviy mehnat nizosi.

The subjects of collective labor disputes are typically related to employment terms and conditions, including wages, benefits, job security, working hours, health and safety, and other workplace rights. These disputes can arise between employees and employers, or between labor unions and employers. Some examples of collective labor disputes include strikes, lockouts, picketing, and boycotts.

The subject of a collective labor dispute on the part of employees is an organizational group of employees (employees of an organization, branch,

representative office, trade union, trade union organization, union of trade unions). The second subject of the dispute is a specific employer or association of employers. The possibility of participation in a labor dispute of such a subject as an association of employers can also be considered as a specific feature of a collective labor dispute.

Both employees and their representatives have the right to put forward demands. Representatives of employees in this case may be trade unions and their associations, primary and other trade union organizations provided for by the charters of all-Russian, interregional trade unions, as well as other representatives elected by employees.

The requirements of employees are set out in writing and sent to the employer. The demands of trade unions and their associations addressed to employers (associations of employers) are put forward by the relevant trade union, association of trade unions independently. The corresponding decision is made by an elected collegial body authorized to do so by the charter of the trade union (association of trade unions).

Labor disputes of this type arise over the common interests of a particular group of employees and cannot be reduced to the sum of individual labor disputes affecting the rights or interests of specific employees.

Other common subjects of collective labor disputes may include:

1. Collective bargaining agreements: Unionized employees may dispute collective bargaining agreements on issues such as salary, benefits, working hours, and grievance processes.

2. Discrimination: Disputes related to discrimination on the grounds of age, gender, race, religion, sexual orientation, or disability may be subject to collective labor action.

3. Outsourcing: Employees or trade unions may take collective action in response to proposed outsourcing of jobs to other locations or countries.

4. Legal compliance: Disputes regarding employer compliance with labor laws, regulations, and industry standards may also be subject to collective labor action.

5. Wages and benefits: Disputes related to wages, salaries, bonuses, overtime pay, health benefits, and retirement plans are among the most common.

6. Working conditions: Disputes related to working hours, rest periods, safety conditions, job security, and workplace environment may arise among employees and employers.

7. Layoffs and terminations: Disputes may arise related to layoffs and terminations, including issues of severance pay, recall rights, and notice requirements.

8. Union representation: Disputes may arise over issues related to union representation, such as union recognition, union dues, and union elections.

9. Technological changes: Disputes may arise over the impact of technological changes on work processes, working conditions, and job security.

Collective labor disputes can arise from a range of issues related to employment and labor relations. Some common subjects of collective labor disputes include:

Employee representatives at the level organization (trade union organization, other representative body) are an independent subject of a collective labor dispute.

These are just some examples of the subjects that can lead to collective labor disputes. Other issues related to employment and labor relations can also lead to such disputes.

Overall, the aim of collective labor disputes is to negotiate better working conditions and terms for employees, as well as to protect their collective rights and interests.

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