







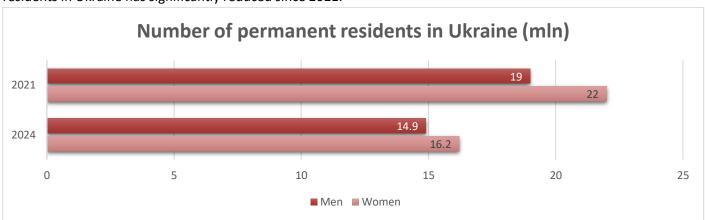
DRC's Legal Alert Special on Women's Labour Opportunities in Ukraine: Issue 114 | March 2025

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Background information

According to <u>the National demographic strategy of development of Ukraine until 2040</u>, number of permanent residents in Ukraine has significantly reduced since 2021:



Unemployment. Based on several studies, the overall labour market participation rate for women decreased to 48.7% in 2023, down from 49.3% in 2021. Meanwhile, the destruction and economic losses resulting from the full-scale war led to an increase in the share of women engaged in informal employment, rising from 16.2% in 2021 to 18.8% in 2023.

¹ Source: The report based on the study "Challenges of Expanding Women's Rights and Opportunities in the Labour Market and Entrepreneurship Amid the Full-Scale War and Gender-Responsive Reconstruction of Ukraine," conducted in January-June 2024 by the Ukrainian Center for Social Reforms NGO in collaboration with the Office of the Deputy Prime Minister for European and Euro-Atlantic Integration, the Government Commissioner for Gender Policy, and UN Women, with funding from the Swedish Government. Link: Report Ukr cor accept covernew FIN.pdf

As stated in the Strategy of Demographic Development of Ukraine until 2040, a large potentially active part of society remains excluded from the labour market, including women caring for young children. With the outbreak of the full-scale invasion, this problem has become much more acute, especially in hromadas located near the areas experiencing active hostilities.²

Labour migration. According to the Ministry of Economy, out of 6.4 million people have moved abroad because of the war, 90% are women and children. ³

Gender inequality. According to the World Bank's Women, Business and the Law 2024 report⁴, Ukraine scored 85.0 out of 100, reflecting its progress in advancing women's legal rights and economic opportunities. While Ukraine's score is above the global average of 77.9, it still lags behind the highest-scoring economies that provide full legal equality for women.

According to the State Statistics Service, as of 2021, the wage gap in Ukraine was 18.6%. Analytics show that women need to work an average of 6.5 more years in their lifetime to earn the same amount as men.⁵

Martial law. Due to mobilisation and other restrictions on men, employers are turning to women as a key resource to overcome staff shortages. According to research, 34% of companies see the involvement of women as an effective way to solve this problem.⁶

Thus, it is evident that increasing employment is one of the key priorities for the Government of Ukraine. The Ministry of Economy has launched several programmes aimed at supporting businesses and improving the labour market. These include initiatives to encourage women to become entrepreneurs, such as providing microgrants for the development of small and medium-sized businesses, offering social benefits, financial incentives for employers to hire women, and promoting programmes designed to enhance employment opportunities and retraining for women, thereby increasing their competitiveness in the labour market.

Labour rights and guarantees

Ukrainian legislation provides certain supportive measures for women related to labour protection, including special protection during pregnancy, childbirth, and breastfeeding, a difference in the retirement age for women and men, as well as specific labour protection rules for both women and men to safeguard their reproductive health. Further details on these supportive measures are outlined in the table below:

Prohibited to involve women Restricted involvement of women	Pregnant women	Women with children under the age of 3	Single women with children aged three to 14 or children with disabilities	Women
Probation period				
Work at night (10 p.m 6				
a.m.)				

² Link: Про схвалення Стратегії демогр... | від 30.09.2024 № 922-р

³ Source: Україна закликає Португалію підтримати ініціативи з повернення українців, програми з перенавчання і гранти | Міністерство економіки України

⁴ Source: https://openknowledge.worldbank.org/server/api/core/bitstreams/d891abb1-ca9c-42cd-989f-32d3885189a2/content

⁵ Source: <u>Українські жінки активніше отримують гранти на власний бізнес, — Юлія Свириденко | Міністерство економіки України</u>

⁶ Source: Робота для жінок в Україні – я<u>кі сфери обирають та чи готові перекваліфікуватись | РБК-Україна</u>

Overtime work		
Heavy work and work with		
harmful or dangerous		
working conditions		
Underground work		
Involvement in work on lifting		
and moving things that weigh		
more than the maximum		
weight limits		
Involvement in work on		
business trips		
Refusal to hire women and		
reduce their wages for		N/A
reasons related to pregnancy		N/A
or having children		
Firing at the employer's		N/A
request		IV/A

NB: The list of heavy work and work with harmful and dangerous working conditions, where the use of women's labour is prohibited⁷, as well as the maximum standards for lifting and moving heavy objects by women⁸, are approved by the Ministry of Health.

Pregnancy, childbirth and parental leave

	Paid / Unpaid	Duration	Who can take the leave	Insurance experience
Maternity leave	Paid	126 days - as a rule 140 days - in case of birth of two or more children and in case of complications of childbirth)	Women	Continue, in full
Childcare under the age of 3	Social assistance	0 to 3 years	One of the parents	Continue, partially
Childcare 3 to 6 years	Social assistance	3 to 6 years	One of the parents	Continue, partially

⁷ The Ministry of Health, "On approval of the List of hard work and work in harmful and hazardous working conditions, which are prohibited the use of women's labour" (order № 256), 1993, link: https://zakon.rada.gov.ua/laws/show/z0051-94#Text

⁸ The Ministry of Health, "On approval of lifting limits and moving of heavy objects by women" (order № 241), 1993, link: https://zakon.rada.gov.ua/laws/show/z0194-93#Text

Additional annual leave	Paid	10 days	One of the	Continue, in full
Additional allitual leave			parents	
	Paid	For children under 7	One of the	Continue, in full
		years — not more	parents	
		than 60 days per year		
Sick leave for childcare				
		For children 7 to 15		
		years — not more		
		than 15 days per year		

Despite having preferential treatment in case of the provision of different types of maternity and parental leaves, it actually creates a gap for the majority of women that explains salary and pension gap between men and women. While men continue to receive income and pay the unified social contribution (USC)⁹ uninterruptedly, women who decided to take childcare leave receive only social assistance for 3 to 6 years in a row and during that time, the state only considers the minimum insurance contribution. The less USC is contributed the lower will be the pension afterwards. It may be beneficial to reconsider principles of pension calculation for women for the period of childcare leave to enforce social protection.

Gender equality and women's empowerment

State Employment Service launches survey of employers to assess workforce needs and Improve Employment Programs, Including Women's Employment¹⁰

The State Employment Service conducted a large-scale survey of employers to study the current and future workforce needs of businesses, identify potential barriers to employment for various categories of citizens, and explore ways to improve employment outcomes. For the first time, the survey will also explore employers' attitudes toward hiring or rehiring people of retirement age and assess their willingness to employ women in professions traditionally dominated by men.

The results of this survey will lead to further improvements in the service's operations, employment support programs, and the implementation of projects aimed at incentivizing employers to preserve and create new jobs. Ultimately, this is expected to reduce structural unemployment. The research aimed to reach over 50,000 representatives from small, medium, and large businesses operating across various sectors, employing up to 5 million workers.

The state survey was designed to achieve the following objectives:

- **Understand the workforce needs of enterprises:** This will help better assess the labour market situation and forecast future workforce requirements.
- Plan and adapt relevant training and workforce preparation programs: The collected data will enable the
 planning of educational programs for businesses, helping employers find qualified workers and allowing the

⁹ The unified social contribution (USC) is a consolidated insurance contribution in Ukraine. In general, this contribution is required to enable insured persons to receive social assistance in the event of unemployment, illness, pension payments and other cases. The payment of the USC is one of the conditions for including periods of work in the insurance period for calculating the amount of retirement pension and other social benefits.

Source: <a href="https://me.gov.ua/News/Detail?lang=uk-UA&id=c50cc043-fac3-4ea1-a396-a751161eab22&title=SluzhbaZainiatostiRozpochalaOpituvanniaRobotodavtsivDliaVivchenniaPotrebiVKadrakhTaVdoskonalenniaPogramZainiatosti

development of training courses at the State Employment Service's Vocational Training Centers in line with labour market needs.

- **Support post-war economic recovery:** The information will help prepare projects aimed at the recovery of the economy and labour market in the context of post-war reconstruction.
- Evaluate the readiness of the service to integrate various social groups into the labour process, particularly those affected by the war: This will help identify existing barriers to equal access to employment and determine the measures needed to create an inclusive environment and remove obstacles.

The survey lasted until January 31, 2025, so further results from this survey are expected.

Status of implementation of the national strategy for closing the gender pay gap for the period until 2030

In 2023, the Government approved the National strategy for closing the gender pay gap until 2030 and approved an operational action plan for its implementation for 2023-2025.

Despite the high gender pay gap in Ukraine compared to most EU countries and other developed nations, the trend of reducing this gap has been positive. In particular, in recent years, Ukraine has seen a trend towards narrowing the pay gap between women and men (2020 - 20.4%; 2021 - 18.6%). From 2015 to 2021, this gap decreased by 7.4%, from 26% in 2015 to 18.6% in 2021¹¹. According to the Ministry of Economy, the Government plans to reduce the gender pay gap from 18.6% to 13.6% by 2030.¹²

The implementation of the Strategy aims to achieve three key objectives:

1. Improve legislation on equal pay for equal work, which includes:

- The introduction of gender-neutral labour assessment, with the legislative establishment of the concept of "work of equal value".
- Amendments to labour legislation to legally define the concept of salary transparency.
- An increased number of inspections by the State Labour Service to detect gender-based discrimination
- Training for labour inspectors and employers on the principles of equal pay.

2. Promote the elimination of stereotypes and discrimination in professions based on gender:

- Conducting the "Of course, you can" (Ukrainian: ""Звісно, зможеш") awareness campaign, which will change perceptions of careers for women and men.
- Encouraging gender audits in businesses.
- Introduction of guotas and career advancement programs for women.
- Educational programs for girls on working in high-paying fields (IT, STEM¹³).

3. Create favourable conditions for the convenient combination of family and professional responsibilities:

- 4. Since women bear the brunt of family responsibilities, such as caring for children and elderly relatives, this can negatively impact their career development. Therefore, the following measures are planned:
 - Conducting research on the existing policies and practices of employers regarding the combination of professional and family responsibilities in the context of employees caring for family members.

¹¹ Decree № 815-p of 2023 "On approval of the National strategy for closing the gender pay gap until 2030 and approved an operational action plan for its implementation for 2023-2025", link: https://zakon.rada.gov.ua/laws/show/815-2023-%D1%80#Text

¹² Source: https://me.gov.ua/News/Detail/5765a135-c118-4e31-80b1-8e6dc86d6584?lang=uk-UA&title=UriadPlanuDo2030

¹³ STEM is an abbreviation for Science, Technology, Engineering, and Mathematics (as subjects of study).

- Organising a set of measures for employers to encourage the implementation of practices that support employees in balancing professional and family responsibilities.
- Improving the regulatory framework for the economic activity "childcare services" to promote the work of childcare institutions, including by creating more such facilities.
- Holding consultations with owners of private and alternative preschool education institutions and other childcare facilities to identify current challenges and obstacles in their work and ways to overcome them.
- Developing a standard policy for employers to support employees in balancing professional and family responsibilities.
- Developing training materials (programs, guidelines, collections of practices) for employers on creating and implementing policies to combine professional and family responsibilities in the workplace.

In this context, it is also important to note that a number of Ukrainian private sector companies are committing to promoting gender equality by signing the Women's Empowerment Principles (WEPs) and joining the "Alliance for Gender-Responsive and Inclusive Recovery in Ukraine," which was created during the Ukraine Recovery Conference (URC2024)¹⁴. The Alliance, led by UN Women in Ukraine in collaboration with the Federal Ministry for Economic Cooperation and Development of Germany (BMZ) and the Cabinet of Ministers, aims to ensure that gender equality and women's empowerment are central to Ukraine's post-war recovery and reconstruction efforts¹⁵.

Support of women's labour activities

The Government is actively supporting programmes to promote the employment and retraining of women to increase their competitiveness in the labour market, such as:

The "Municipal Nanny" service 16

In January 2019, the Cabinet introduced the "Municipal Nanny" social service. This service allows parents or guardians of children under the age of 3 to receive the reimbursement from the Government for the childcare services provided by a nanny, though not exclusively. The reimbursement is provided in the form of compensation, meaning the payment is made directly to the parents or guardians (the applicants).

To receive compensation, the applicant must:

- submit the application for compensation within one month from the date of signing the contract with the municipal nanny to the local department of social protection (under the local councils);
- by the 5th of each month, submit to the authority proof of payment to the municipal nanny.

Entitled persons Duration Frequency compensation Prerequisites	Entitled persons	Duration	Frequency		Prerequisites
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¹⁴ Source: <a href="https://me.gov.ua/News/Detail?lang=uk-UA&id=d5981d5a-2d8c-417a-987a-40d7be7ae96c&title=SkorochenniaGendernogoRozrivuVOplatiPratsiZ18-6-Do13-6-TaStartNatsionalnoiKampanii-zvisno-Zmozhesh-YakUkrainaRukhatsiaDoEkonomichnogoUpovnovazhenniaZhinokUChasiVelikoiViini-

¹⁵ Source: vidnovlennya-v-ukrayini

¹⁶ Decree № 68 of 2019, "Certain issues of providing the childcare service for children under the age of 3 – "Municipal Nanny", link: https://zakon.rada.gov.ua/laws/show/68-2019-%D0%BF#Text; Decree № 664 of 2024, "Some issues of reimbursement of the cost of the "Municipal Nanny" service for the period of martial law and for three months after its termination or suspension", link: https://zakon.rada.gov.ua/laws/show/664-2024-%D0%BF#Text

Families with a child under the age of 3,	0 to 3 years	Monthly	UAH 48 per hour	A municipal nanny
if:			but not more than	can be any individual
 this child needs additional care¹⁷; 			165 hours per	entrepreneur or legal
or			month	entity providing
2. one of the parents or guardians has				childcare services,
a disability status of group I or II; or				with whom parents
3. if one of the parents is IDP.				or guardians have
Families with a child under the age of 6:	0 to 6 years			signed a contract.
In the area where it is impossible to				
ensure the functioning of preschool				
education institutions				

An applicant who is an IDP or who resides in areas where it is impossible to ensure the functioning of preschool education institutions is not entitled to the "Municipal Nanny" service if:

- one of the parents or guardians of the child takes a leave to care for the child until the child reaches the age of three;
- one of the parents stops working;
- one of the parents is registered as unemployed for more than six months;
- one of the parents completes retraining;
- the functioning of preschool education institutions in the area was renewed.

Financial incentives for employers to hire women 18

As noted by the Ministry of Economy, increasing employment rates is one of the Government's priorities. The Government offers programs for Ukrainian women to integrate into the labour market and entrepreneurship. Since 2022, employers have been eligible for state compensation when hiring IDPs¹⁹. Starting in 2023, they can also receive compensation for hiring single mothers with children, according to the Ministry of Economy²⁰.

Entitled persons	Duration	Frequency	Amount of	Prerequisites
			compensation	
Compensation to the employer	General	Monthly	UAH 8,000	The programme was more
for the employment of IDPs	duration up to 3			beneficial to women IDP,
	months;			because statistically, as of 22

¹⁷ The list of children under the age of 3 who need additional care is provided in Decree № 68 of 2019, "Certain issues of providing the childcare service for children under the age of 3 – "Municipal Nanny" (see the link in the footnote № 16)

Decree № 331 of 2022, "On Approval of the Procedure for Providing Employers with Compensation for Labour Costs for

Employment of Internally Displaced Persons as a Result of Hostilities during Martial Law in Ukraine", link:

https://zakon.rada.gov.ua/laws/show/331-2022-%D0%BF#Text; Decree № 124 of 2023, "On Approval of the Procedure for Providing Employers with Compensation for Employment of Registered Unemployed", link:

https://zakon.rada.gov.ua/laws/show/124-2023-%D0%BF#Text

¹⁹ Source: https://export.gov.ua/news/kompensatsiia-robotodavtsiu-za-pratsevlashtuvannia-vpo-derzhava-vyplatyla-u-mezhakh-prohramy-224-mln-hrn-z-pochatku-2024-roku

²⁰ Source: https://me.gov.ua/News/Detail?lang=uk-UA&id=5f736f65-3be0-4861-ae51-0dff8ed8515f&title=UriadProponuUkrainskim

	For people with disabilities – up to 6 months			October 2024, out of 4,646,735 IDPs 59.9% are women (2,782,325) and 40.1% are men (1,864,410).
Compensation to the employer for the employment of registered unemployed persons of certain categories, including women with child(ren) under the age of six and single women with a child under the age of 14 or a child with a disability	The total duration of compensation is 12 months over two years	Once in two months	Up to UAH 3,520	The programme also covers other vulnerable categories, e.g. persons released from prison; persons who are less than 10 years away from retirement age, etc.

Labour opportunities for women

On 15 November 2024, the Cabinet adopted <u>Decree № 1302</u>, launching the pilot project to provide the labour market with qualified workers and to support the competitiveness of women undergoing vocational training for employment in spheres where women have traditionally been underrepresented. This includes vocational trainings for such professions as carpenter, turner, machinist, miller, etc.

Vocational trainings are organised at the request of the employer by applying for training to the State Employment Centre.

How to take a part in the pilot project:

- Employer submits an application to Employment Centre with the request for training.
- Employer concludes agreement with Employment Centre.
- Employer is obliged to provide a workplace withing 15 days after the end of training.

Employer

Woman

- Woman chooses a profession from the list.
- Woman chooses an educational institution for training from the list that provide vocational training for women's employment.
- Woman undertakes to complete training and, within 15 calendar days from the date of its completion, to be employed in the acquired profession.

- The Employment Centre informs the woman about the date of start of training and issues a referral for vocational training.
- The Employment Centre covers the cost of training in an amount up to 10 times the subsistence minimum for able-bodied persons (10 * UAH 3,028 = UAH 30,280)

Employment Centre

The employer participates in the qualification assessment and provides the person with a workplace for industrial training, internship, and qualification assessment. Also, employer may interview persons who have expressed a desire to undergo training before concluding an agreement on the organisation of training.

The duration of vocational training is determined by working curricula and educational programmes and cannot exceed 10 months.

Grants and possibilities

Name of programme	Entitled persons	Amount of grant/voucher assistance	Description
eRobota (Ukrainian "There is work") ²¹	Available for both men and women	UAH 140 thousand to 400 thousand per 0.01 km², but not more than 70% of the cost of the planting project	Grants for the establishment of a garden Grant is provided for the development of gardening, berry growing and viticulture. Grant recipients are required to: • create jobs (depending on the amount of the grant); • operate for at least 5 years; • pay taxes to the budget, in particular, for the employment of workers.
		0.004 km ² – 0.006 km ² – up to UAH 2 mln 0.008 km ² – 0.012 km ² – up to UAH 3.5 mln 0.016 km ² – 0.024 km ² – up to UAH 7 mln	Grants for greenhouses Grants are available for greenhouses with an area of 0.004 km² to 0.024 km². It should be constracted within 1 year. Grant recipients are obliged to:
		Up to UAH 8 mln	Grants for the development of a processing plant Grant recipients are obliged to:
		Up to UAH 1 mln	Grants for veterans and their family members The grant programme is designed for combatants, people with disabilities caused by war, and their spouses. The amount of the grant can be: up to UAH 250,000 - both veterans and their family

²¹ Source: https://me.gov.ua/Documents/Detail?lang=uk-UA&id=94321ef8-1418-479c-a69f-f3d0fdb8b977&title=Robota-GrantiVidDerzhaviNaVidkrittiaChiRozvitokBiznesu

			members can apply. The grant recipient must create 1 workplace; • up to UAH 500,000 - both veterans and their family members can apply. The grant recipient must create 2 workplaces; • up to UAH 1 mln - a veteran who has been registered as a private entrepreneur for at least 1 year can apply. The programme covers 70% of the project cost. The grant recipient must create 4 workplaces.
Vouchers for	Available for both	UAH 27,000	This governmental programme
education ²²	men and women		provides vouchers for education, which
			can be used for education purposes for
			one of 124 professions and specialties.
			According to the statistics, 71% of voucher recipients are women ²³ .
			As of 18 October 2023, 15,353
			education vouchers have been issued
			to Ukrainians. Of these, 3,200 were received by IDPs (2,327 women and
			873 men).
Vlasna Sprava	Available for both	UAH 50,000 to UAH 250,000.	This programme is operated under the
Programme	men and women	If the place of business and	Ministry of Economy.
(Ukrainian "		place of registration are in	Grant recipients must:
Own		Kharkiv or Kharkiv oblast,	create at least one job;
Business") ²⁴		the grant amount of can be	 operate for at least 3 years;
		up to UAH 500,000	pay taxes to the budget, in
			particular, for the employment
			of workers.
			In 2023, more than 57% of the successful applicants who received
			financial support were women.
			The funds can be used to purchase or
			lease equipment, purchase raw
	<u> </u>		1 1 /1

²² Source: https://delo.ua/robota/vauceri-na-navcannya-vid-derzavi-otrimali-ponad-15-tisyac-ukrayinciv-naipopulyarnisi-profesiyi-425347/

²³ Source: https://zmina.info/news/uryadovi-vauchery-na-osvitu-ta-perekvalifikacziyu-korystuyutsya-najbilshoyu-populyarnistyu-sered-zhinok/

²⁴ Source: https://me.gov.ua/News/Detail?lang=uk-UA&id=1607d96a-e3fb-4cfa-bc08-5839eba1ccc6&title=VlasnaSprava-U2023

			materials and supplies, and rent premises. A prerequisite for receiving funds is the creation of 1-2 workplace(s), depending on the amount of the grant.
Programme of the Women's Opportunities in Ukraine Charitable Foundation ²⁵	Women	UAH 70,000 to UAH 100,000	Grant support is provided under the Foundation's programme to support women's entrepreneurship, starting May 2024. Grants are aimed at purchasing the necessary equipment, raw materials and specialised software, thus supporting Ukrainian production. 20% of the programme funds can be spent on branding and marketing.

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²⁵ Source: https://wo-ua.org/