

To the kind attention of:

- Marta Kos
European Commissioner for Enlargement

Copy to:

- Roxana Mînzatu
Executive Vice-President of the European Commission for Social Rights and Skills,
Quality Jobs and Preparedness

Via Email: cab-kos-contact@ec.europa.eu

Subject: Concern over weakening of occupational safety standards and restriction of trade union powers in Ukraine

Dear Commissioner,
Dear Ms Kos,

The European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT), representing 2.6 million workers through 140 national trade unions in 40 countries across Europe, including Ukraine, wishes to express its serious concerns regarding Draft Law No. 10147, *On Occupational Safety and Health of Workers*, adopted by the Verkhovna Rada of Ukraine at second reading and as a whole on 12 October 2026.

Although presented as a step towards European integration and the implementation of Council Directive 89/391/EEC, the Law raises significant concerns regarding its compatibility with the EU social acquis and the commitments undertaken by Ukraine under the EU–Ukraine Association Agreement. In particular, EFFAT wishes to draw your attention to the following issues:

1. Restrictions on the rights and role of trade unions

The exclusion of trade unions from the definition of “workers’ representatives” risks significantly undermining their role in the effective oversight of occupational safety and health. It also raises concerns regarding workers’ rights to be consulted and to participate in matters relating to occupational safety and health, as provided for under Council Directive 89/391/EEC. By marginalising trade unions in these processes, the Law risks weakening the effective exercise of workers’ rights and the role of their representative organisations in preventing occupational risks.

2. Risk of reducing existing levels of worker protection

Replacing the current occupational safety and health framework creates a risk that existing guarantees, including compensation, benefits and protective mechanisms for workers exposed to harmful and hazardous working conditions, may be weakened or lost. Such changes raise serious concerns regarding the principle of non-regression in the protection of workers’ rights, as reflected in Article 296 of the EU–Ukraine Association Agreement. It

would also undermine efforts to provide for a level-playing field while acknowledging in the recently published pre-enlargement policy review that there might be a need to country-specific and transitional arrangement in sectors like agriculture which will be heavily affected by the reform.

3. Insufficient social dialogue

The reform of labour legislation and occupational safety and health is proceeding without adequate consideration of social dialogue and the involvement of trade unions. This approach is difficult to reconcile with the EU's commitment to social dialogue and the involvement of social partners, as reflected in Articles 151 and 152 of the Treaty on the Functioning of the European Union (TFEU) and Principle 8 of the European Pillar of Social Rights. Meaningful consultation with trade unions and other social partners is essential to ensuring that labour reforms are effective, inclusive and consistent with European standards.

In view of your responsibilities as European Commissioner for Enlargement, we urge the European Commission to engage with the Government and the President of Ukraine to ensure that Draft Law No. 10147 is returned to the Verkhovna Rada for thorough reconsideration and revision. The revised legislation should fully respect the EU social acquis, safeguard existing levels of worker protection and ensure the meaningful participation of trade unions and other social partners in occupational safety and health matters.

The adoption and implementation of the Law in its current form risk undermining workers' rights and raising serious questions about Ukraine's progress towards alignment with EU standards and its broader European integration objectives.

EFFAT and its member organisations in Ukraine remain ready to engage constructively with the European Commission and the relevant Ukrainian authorities to help ensure that current and future labour reforms are consistent with European standards, uphold effective social dialogue and protect workers against any regression in their rights and working conditions.

We trust that the European Commission will give these concerns due consideration and take them into account in its engagement with the Ukrainian authorities in the context of Ukraine's EU accession process.

Yours sincerely,



Enrico Somaglia,
General Secretary of EFFAT