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TOPICAL ISSUES OF ENSURING YOUNG PEOPLE'S RIGHT TO THEIR FIRST JOB

Introduction. Young people between the ages of 14 and 28 are one of the vulnerable categories on the labour market, despite their lack of professional experience or profession or speciality, especially when it comes to school students. Young people, therefore, are often discouraged from finding a decent job in our country if they are rejected for lack of experience. As a consequence, young potential workers are migrating abroad. According to statistics from Solutions for Youth Employment: Civil Society Impact in Ukraine, Georgia and Moldova, in 2019, among those who have been looking for a job for more than a year, the unemployed under the age of 34 were around 40% [2]. Today, the issue has become even more acute, as the economic crisis due to COVID-19 is reducing job opportunities.

Review of recent publications. The problems of providing young people with their first job have been considered by such authors as D.L. Bohynia, Z.V. Surkova, A.H. Savchenko, Yu.M. Shchotova, S.S. Lvov, I.Ye. Kariakina, and others. The current realities, however, make it necessary to improve the norms of labour law in the area of youth employment, providing young people with their first job.

The objective of the paper is to develop the proposals for improving the mechanism for ensuring young people's right to their first job.

Results of research. The right to work is one of the basic human rights, it provides a person's place in society, which is so important for young people. Young people encounter many obstacles when they enter the labour market for the first time. They include the lack of experience, knowledge and capabilities that do not meet the requirements of employers, social immaturity and insecurity [10: 361], low efficiency of mechanisms to encourage young people to be active in the labour market under decent work conditions.

In order to increase the efficiency of the youth employment, the laws of Ukraine enshrine certain advantages for young people in employment: 1) additional guarantees in facilitating employment [6]; 2) not establishing a test when hiring; 3) provision of the first job for at least 2 years [3]. Regrettably, not all mentioned above is realised in practice. This is especially true for the provision of the first job: it is ensured only for persons who have studied under a state order, as well as on the condition of referral to work under the quota [6].

According to the Labour Code, the first job is a place of work for the citizens between the ages of 16 and 28 after accomplishing of education and training and after leaving military service [3].

The loss in 2013 of the Law of Ukraine “On Ensuring that Young People Who Have Completed Higher or Vocational Education Obtain Their First Job with an Employer’s Subsidy” № 2150-IV of November 4, 2004 has led to a reduction in the level of self-employment opportunities for young people [5]. In addition to regulatory support, it is important for youth public bureaus, exchanges, agencies and labor centers are important, which are provided by the Law of Ukraine “On Promoting Social Formation and Development of Youth in Ukraine” [7]. At present there are only 16 oblast youth labour centres and a youth labour centre in Kyiv [4]. The development status of other institutions as well as centres is insufficient for the implementation of an effective youth employment policy. Therefore, it is necessary to increase their number and properly organise their activities.

A.V. Hora believes that the creation and improvement of the legal base is the most important precondition for the effective management of youth employment in Ukraine [1: 19]. Sharing this position, it is necessary to enshrine in law incentives for employers to create jobs for young people. Incentives mean certain privileges, perhaps the payment of part of an employee’s salary during his or her first year of employment. Therefore, it seems appropriate to amend the Law of Ukraine “On Employment of the Population”, to add Article 14-1, providing for a mechanism of incentives for employers when employing young people.

Equally important is the recent approval by the Cabinet of Ministers of the concept of the state targeted social programme Youth of Ukraine for 2021-2025 [8], which aims at the all-round development of young people. It is considered appropriate for young people who contact the Public Employment Centres, in the digitalisation of society, and especially now during the coronavirus pandemic, to provide online advice on possible employment options. It is also important for them to create the newsletters with a list of trusted websites where they can find jobs on their own.

Solobukha A.A. suggests that in order to improve the situation with the provision of the first job, employment problems should be investigated region by region to train qualified specialists, wage reforms should be carried out to increase the income level and the number of jobs should be maintained at a stable level to reduce the redundancy rate [9: 512]. The problem of securing a first job can arise because certain professions are not in demand. After all, it is demand that creates supply. A study of employment problems in the regions of Ukraine will really help to solve this issue, allowing applicants to choose the right profession for trouble-free employment in the future.

Conclusion. There is a need for great amount of youth centres, agencies, offices and employment exchanges in order to enhance youth employment policies, in particular the provision of a first job. The endorsement of a concept to establish incentives for employers when employing young people and to amend the Law of Ukraine on Employment accordingly is of great importance. It would be advisable for both public and private employment agencies to disseminate online counselling and develop information letters for young job-seekers. Introduction of an annual survey of employment problems in the regions of Ukraine and reforms of vocational education.

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ON THE ISSUE OF CONSTITUTIONAL OBLIGATIONS OF A PERSON AND A CITIZEN

Introduction. The problem of constitutional obligations as one of the means of developing constitutional and legal relations is quite relevant. The obligations of a

person and a citizen, together with constitutional rights and freedoms, are components of the constitutional and legal status. The obligations are, above all, a means of legal balance of material and spiritual needs of a society.

Review of recent publications. The issues of constitutional consolidation of obligations of a person and a citizen are covered in the scientific works of such scientists as O.V. Biloskurska, M.V. Vitruk, L.D. Voievodin, B.S. Yebzeiev, A.Yu. Oliinyk, P.M. Rabinovych and others. The scientists who have studied the problem of obligations unanimously emphasize their importance in strengthening public discipline and rule of law. Insufficient attention to obligations of a person may be due to the fact that they seem simple, as well as the fact that they are constantly in the “shadow” of rights and freedoms.

Objectives of the paper. The objective of the paper is to clarify the peculiarities of the constitutional consolidation of the obligations of a person and a citizen.

Results of the research. In jurisprudence, constitutional obligations are understood as the requirements consolidated in constitutional norms of a particular state to the conduct of its citizens and other persons in its territory. The constitutional obligations express the responsibility of the citizen to the state, and their implementation ensures the normal functioning of the state [1: 157].

Obligations as measures of proper behavior of a citizen have a close relationship with the rights and freedoms of the individual and can not exist separately from each other. Thus, the vast majority of constitutions provide for the right and obligation to protect the state (Article 31 of the Constitution of Mexico, Article 52 of the Constitution of the PRC, Part 3 of Section 2 of Article IV of the US Constitution); the right and obligation to work (preamble to the French Constitution), etc. [2: 103]. The unity of rights and obligations of a person and a citizen is due to the need to ensure balanced behavior of individuals in various spheres of the society and the state, as well as compliance with formal and legal equality of citizens.

When speaking about the constitutional obligations of a person and a citizen in foreign countries, it should be noted that their number is many times less than the number of fundamental rights. The obligations of foreign constitutions mostly provide for the protection of the homeland, participation in public affairs, observance of the constitution and laws, disciplined and dignified performance of state functions, payment of taxes [3: 4].

The Constitution of Ukraine enshrines the following obligations of a person and a citizen: to protect the Fatherland, independence and territorial integrity of Ukraine; to respect the state symbols of Ukraine (Article 65); not to cause damage to nature, cultural heritage, as well as to compensate for the damage caused by this (Article 66); to pay taxes and fees in the manner prescribed by law (Article 67); strictly abide by the Constitution of Ukraine and the laws of Ukraine; not to encroach on the rights and freedoms, honor and dignity of others (Article 68); to execute court decisions (Articles 124, 129, 150); to know the laws (Article 68); to acquire general secondary education (Article 53); to take care of children and disabled parents (Article 51) [4]. This limited list of constitutional obligations, along with a wide range of human and civil rights and freedoms, is explained by the fact that the former are the minimum

requirements imposed by the state on a person. It should be emphasized that such minimization of obligations is typical of democratic states. However, in socialist states there is a tendency to constitutionalize obligations that are not characteristic of constitutional law, and their constitutions enshrine a broader list of obligations of citizens. For example, such a special obligation as observance of labor discipline (Article 53 of the Constitution of the PRC) [5: 65].

One of the peculiarities of the constitutional consolidation of obligations is that they are not systematized, but, as a rule, “scattered” in the text of the constitution and therefore do not form a single block [2: 103].

Conclusion. Thus, the strength and stability of the constitutional and legal status of a person and a citizen is achieved not only through a fixed set of fundamental rights, but also largely through the imposition of obligations on them to society and the state. Without this element, the legal status of each individual would be legally unsecured and fragile. The peculiarities of the constitutional consolidation of obligations of a person and a citizen include: unity of rights and obligations of a person and a citizen; limited list of constitutional obligations along with a wide range of rights and freedoms of a person and a citizen; lack of systematization of obligations in the texts of constitutions.

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ASSESSMENT OF STUDENT WELFARE IN UKRAINE IN THE CONTEXT OF THE COVID-19 PANDEMIC

Introduction. In the modern world students face with the new reality of education and the social distancing and a distant learning become a part of our culture.

Students are obliged to accept the new methods of keeping in touch with their groupmates, friends and teachers. Because of the COVID-19 pandemic, the Government of Ukraine has introduced some temporary restrictive measures, including suspension of offline learning and transition to studying via the Internet, using online learning technologies, various e-learning platforms, such as Moodle, videoconferences (Zoom, Google classroom, Microsoft class etc.), social networking sites, etc. Sometimes these changes can lead some students to feel helpless and overwhelmed.

Review of recent publications. Many scientists have researched various aspects of creation of online learning environment and the influence of distant studying on the students. For instance, P. Redmond analyzed the use of online technologies in higher education, and came to the conclusion as well as many other Ukrainian experts, that the real capacity of the Ukrainian higher education to work online is under the question.

Objectives of the paper. The article deals with the impact of pandemic and quarantine on the Ukrainian students, their psychological and emotional state and their welfare in the context of the COVID-19 pandemic.

Results of the research. Firstly, it is important to mention, that most of the Ukrainian higher educational institutions have similar problems today, among them: 1) a lack of institutional strategies and resources for arranging distance learning; 2) implementation of good-quality multimedia services and contents is still new and