



DESCRIPTION OF THE FIELD OF HABILITATION / INAUGURAL PROCEEDINGS

LABOR LAW

University	University of Trnava in Trnava
School	School of Law
Name of field(s) of habilitation / inaugural proceedings ("HIP")	Labor Law
The field(s) of study to which the HIP field is assigned	30. Law
Doctoral academic programs in the field to which HIP is assigned	Labor Law, full-time and part-time studies
Postgraduate academic programs in the field to which HIP is assigned	Law, full-time and part-time studies

The contents of the HIP field
<p>Name of the HIP field: Labor Law</p> <p>Content of the field Labor Law is focused on investigation of basic issues of individual and collective labor law, not only from the theoretical and legal point of view, but also from the point of view of application practice, with the consistent application of all relevant methods of scientific research.</p> <p>Labor law creates the basic legal framework for the implementation of constitutional social rights in labor law relations. Through scientific methods of research, it contributes to the enhancement of legal guarantees of the dignity of the employee in the performance of dependent work.</p> <p>The constitutional principles of equality and freedom in labor law relations and the related issues of prohibition of employee discrimination and limitations on contractual freedom of subjects of labor law are at the center of the investigation of basic issues of labor law.</p> <p>The constitutional principle of freedom and equality is substantially modified and supplemented by the principle of subordination in labor law. Restriction of contractual freedom by establishing minimum legal standards of working conditions creates at the same time a competitively neutral environment for free economic competition as well as for the fulfillment of the protective function of labor law as its primary function.</p> <p>Closely linked to labor law relations are social insurance legal relations, which implement in legal form the material essence of "classical" social rights oriented towards the protection of the workforce and the long-term preservation of its work potential. In the post-working age (ex-employee period), there is, in turn, a social obligation to provide the individual with adequate material security based on the pension system for his/her (lifetime) work contribution expressed in terms of earnings, with an appropriate coexistence of solidarity and merit (equivalence). In times of economic crises (recessions), it is in turn necessary to adjust models and approaches in the employment service system to increase the employability of the unemployed person in the labor market, including social security measures. And following the above, it is necessary to respond also to "remedial" measures of employers and their eventual insolvency.</p>



An important systematic part of the investigation of basic issues of labor law is a proper definition of the demarcation between the dependent work on the one hand and the entrepreneurial activity on the other hand, and new challenges associated with digital work.

The development of new types and forms of work, such as work performed through digital platforms, creates a qualitatively new legal environment, but also new risks on the part of the employee. Related to this is the need to ensure effective social protection for employee, in particular through schemes based primarily on the insurance principle. New requirements for employee flexibility and mobility increase the risks of job loss and the associated new requirements for lifelong education of employees, as well as for changing the structure of the labor market, which is changing significantly not only as a result of the proliferation of digital work, but also due to increased migration of nationals of third countries and war refugees.

The performance of dependent work under new conditions, for example of the digital age, is significantly individualized, which increases the demands for optimizing the model of private and working life and protecting employees' personal data. Dependent work must also remain at the center of attention of social security systems [reflecting in particular the requirements of adequacy of provided social protection (up to the socially determined and preferred values at a given time), active and collective participation and their long-term sustainability], which are the only ones capable of ensuring the implementation of several social rights and of the social status of an employee, including the employee working in new forms brought about by developments in social relations (for example, their computerization).

As part of habilitation and inauguration proceedings, the applicant demonstrates pedagogical abilities and skills as well as competencies in relation to scientific research and creative activities.

Definition of the HIP field

The content of the HIP field of labor law is in line with the focus of the academic program Law, to which it is assigned as part of the unified system of law. The content of the academic program is consistent with the main topics of the core knowledge of the academic program Law and at the same time is in line with the basic common legal categories of legal science. In addition to the general legal characteristics consistent with the academic program Law, the labor law as a subsystem of the legal system has its own subject of regulation in the legal system, as well as its own method of legal regulation, characterized not only by private law but also by administrative law features.

The basic content elements of the labor law field include mainly:

- Basic functions of the labor law;
- Cross-sectoral issues of the labor law, civil and commercial law;
- Basic legal categories of individual and collective labor law and their logical definition;
- Contractual freedom;
- The concept of 'dependent work' versus the concept of 'entrepreneurial activity';
- Employee protection under the new conditions of the digital age;



- Limits of flexibility of labor law and employee protection;
- New types and methods of work in the digital age;
- Approximation of the labor law with EU law;
- Protection of life and health of employees;
- Protection of the private life of employees;
- "Illegal employment system" - causes and consequences;
- Employee protection and the European civil procedural law;
- Effectiveness of judicial protection of employees before national and European courts;
- Protective function of labor law and unilateral termination of employment;
- Legal model of a flexible employee;
- Working time, safety at work and reconciling work and family life;
- Upgrading the qualification of employees and further training;
- Remuneration of employees;
- Basic issues of collective labor law;
- Functional essence of constitutionally and internationally guaranteed social rights;
- Guiding principles for the design and operation of social protection systems;
- Functioning of long-term social protection systems, especially pension systems;
- Social protection of persons moving freely within the EU and the third countries;
- Social protection of groups of persons deserving increased social protection;
- Systemic measures to address material and social deprivation.

Persons responsible for the development and quality assurance of the HIP field

Prof. JUDr. Helena Barancová, DrSc.
Prof. JUDr. Mgr. Andrea Olšovská, PhD.
Assoc. Prof. JUDr. Marianna Novotná, PhD., Adjunct Prof.
Assoc. Prof. JUDr. Viktor Križan, PhD.
Assoc. Prof. JUDr. Miloš Lacko, PhD.

Scientific/artistic and pedagogical characteristics are available on the departments' websites

<http://iuridica.truni.sk/katedry>

<http://iuridica.truni.sk/clenovia-katedry-ppapsz>

<http://iuridica.truni.sk/clenovia-katedry-oaop>

Criteria– "Associate Professor" and "Professor"

The minimum criteria for an applicant for the habilitation procedure are specified in the regulation:

Criteria for obtaining the scientific-pedagogical degree "Associate Professor" and criteria for obtaining the scientific-pedagogical degree "Professor" of the University of Trnava in Trnava, School of Law

Available on: