



MASARYK UNIVERSITY  
FACULTY OF LAW

# Notion and system of European Labour Law

Zápatí prezentace



# Literature

- Blanpain, Roger, European Labour Law, Alphen aan den Rijn : Wolters Kluwer (2014)
- Bercusson, Brian, European Labour Law, Cambridge : Cambridge University Press (2009)
- Web pages.
  - <https://europa.eu>
  - <http://eur-lex.europa.eu>
  - <http://curia.europa.eu>



# European Organisations

**1. Council of Europe** - an international organisation established in 1949 for the purpose of protection of human rights

- European Convention on Protection of Human Rights and Fundamental Freedoms (1950)
- European Social Charter (1961) list of social rights, in 1996 revised

**2. European Union (European Community)**

28 member states

based on the principle of supranationalism



# History of Integration

- **European Coal and Steel Community** - Treaty of Paris signed in 1951, six countries (Belgium, Luxemburg, Netherlands, France, Italy and Germany)
- **European Economic Community**  
Treaty Establishing European Economic Community signed in Rome (1957)
- **European Atomic Energy Community**  
Treaty Establishing European Atomic Energy Community signed in Rome (1957)



# Revisions of Treaties

- **Single European Act 1986** first significant revision of the Treaty Establishing the European Community
- **Treaty Establishing the European Union 1992** (Treaty of Maastricht)
- **Treaty of Amsterdam - 1997**
- **Treaty of Nice - 2002**
- **Treaty of Lisbon - 2007**



# Enlargement of the EU

- 1973 - Great Britain, Ireland and Denmark
- 1981 - Greece
- 1986 - Spain and Portugal
- 1995 - Austria, Finland and Sweden
- 2004 Czech Republic, Slovakia, Poland, Hungary, Cyprus, Malta, Estonia, Latvia, Lithuania, Slovenia
- 2007 Bulgaria, Romania
- 2013 Croatia

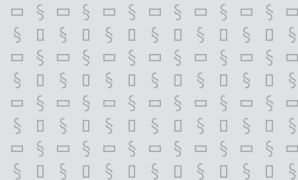


# Labour Law in EU

Labour law - a body of rules regulating:

- relations between employers and employees arising from performance of dependant work
- relations connected with performance of dependant work
- relations between collective of employees and employer or collective of employees and collective of employers

In EU only selected problems of labour law are regulated



# Sources of European Labour Law

## 1. Primary Law

Establishing treaties - Treaty on the EU, Treaty on the Functioning of the EU,

Treaties on accession of new member states

## 2. Secondary Law

Directives

Regulations

Decisions, opinions, recommendations

## 3. Other Sources of Law

Agreements of European social partners

Principles of EU law

Case-law





# Labour Law in EU

Establishing treaties - Social policy

1. Labour law - individual labour law  
- collective labour law
2. Social security law - coordination of national systems of social security of Member States, covers namely persons enjoying the right to free movement of persons



# System of Individual labour law in EU

- Free movement of workers, prohibition of discrimination based on nationality in employment and occupation
- Equal treatment and combat of discrimination in employment and occupation based on other prohibited grounds
- Health and safety of work
- Protection of young people at work, protection of childcare
- Working time and rest periods
- Social protection of employees in the case of:
  - collective dismissal
  - insolvency of employer
  - transference of undertakings
- Labour relations
  - temporary work
  - fixed-term work
  - part-time work



# System of collective Labour Law in EU

- Right of employees to information
- Right of employees to consultation
- Right of employees to participation
- European social dialogue
- Agreements of European social partners
  - Implemented by directives or
  - As autonomous agreements