**Leonid Bugrov, Head of the Chair
of Labour Law and Social Security of
Perm State University (Russia), LL. D.
Professor, Honored Employee of
Higher Education of Russian Federation**

Labour Mobility from the Point of View of Russian Labour Law

The main aim of this research is to examine several important problems connected with the role of Labour law in the Russian Federation in the process of job mobility from the point of view of social defense of workers or employees and defense of legal interests of employers, too. For the purposes of clarity I have structured the paper into some self-contained areas. For a start, I would like to turn to the brief analysis of some more common ideas.

The Role of Labour Law in the Regulation of Economic Relations

There are a lot of difficulties in the present Russian economy. The economy (including labour economy) only is becoming as a market economy and has got many developmental diseases. Among them I can notice the weak social defense of workers or employees and members of their families, the lowest payment of labour, an increase of unemployment and an incomplete decision of this problem by making use of the possibilities of social services and some others. Russian labour law has to participate in the solution of them. It is not a support role, the participation of the Russian labour law ought to be important.

However, now in Russia, one can see different contradictory tendencies in an appreciation of the role of law in the regulation of economic relations. On the one hand, the importance of law evidently is raised too high. For example, Russia attempts to solve some complicated economic problems by using only juridical methods. On the other hand, one can notice the decrease of the role of law. For instance, in the contemporary Russian reality the large part of many economic problems are being solved by using unlawful means.

These tendencies are typical for the Russian labour law as a particular part of the Russian law system. The Russian labour law is earmarked for the social defense of workers and employees and legal interests of employers in labour markets. So, it is very important to determine correctly the possibilities of the Russian labour law in the labour markets. But everyone can see these both tendencies in solving the problems of Labour law, for example, problems of payment.

Instead of the solving of this problem by using economic methods, the Russian Criminal Code was amended not so long ago by a particular article of the criminal responsibility of employers for non-payment of wages. This action has not had any effect.

At the same time, there are a lot of violations (even by the state) of the issues of the Russian labour law and the rules of Convention of International Labour Organization № 95 concerning the defense of wages. Interesting but negative figures and facts about this are given in the Report on the Activity of Authorized Person on Human Rights in the Russian Federation in 2000. There is now the most difficult situation with wages in Chukchi autonomous okrug in the Far North of Russia. The position in this district is characterized by a very high level of goods prices, it is the highest in our country. But incomes of people are very low. 40 per cent of population have no living wage. Almost all companies have not sufficient resources for payment. The cost of working force at Chukchi labour markets has fallen down to prices of necessary minimum of products. Really one can say that it is a compel labour[1].

Labour law must be adequate to its economic basis. Labour law has to reflect labour market principles. As a matter of fact, every state must be troubled about an adequacy of labour law reflecting labour market principles. But now in Russia, labour markets are not fully formed. These markets are being exposed to big crisis. There is law, social and economic crisis happening at the same time. That is why, the contemporary Russian labour law must reflect the conditions of deep and long economic crisis. Ignoring of this reality leads to ignoring of Labour law itself. The difference between official legal rules and real economic conditions makes people violate the law and use different options of the so called «shady» (unlawful) labour, including child and female labour. That is why, Labour law must be adopted to the real economic situation. But we also must not

decrease the role of Labour law in the developing of economic relations. It can contribute to progress of the economic development or become the reason of its regress. In order to guarantee a progress and prevent from regress or decrease of its influence, it is necessary to study Labour law as a juridical form which includes the economic content.

Some Internal Basic Problems of Russian Labour Law of Nowadays

The proper realization of the positive role of Labour law rules in the economy of Russia, to a considerable extent, depends on proper internal status of the Russian labour law. But this legal system of norms has got a lot of problems now. There are three most burning questions among an enormous number of others in the modern Russian labour law.

In the first place, it is a problem of the cooperation Labour law and Civil law. Traditionally, one can see a clear borderline between them in Russia. But now some experts in the Russian civil law think that every man has got a property on his working force, hence social relations connected with labour are included in the property relations. By the way, these experts think Labour law is part of Civil law. Specialists of Russian labour law have got a general opinion that these views of civilians are not humane. I agree with the point of view about human capital[2], but it is not similar to a financial and material capital. I am sure, a labour and a working force can not be objects of property relations. As I see, Civil law and Labour law are particular parts of one united system – Russian law. They must not have the clear borderline, moreover, they have certain common field of interest. And problem lies in the answer what rules have to be used in incidents, when issues of Civil law and Labour law are contradicting. I propose, that Russian federal laws must point on the priority of Labour law in these cases. But there must not be a likeness of war between Labour law and Civil law, strong being enough in the Russian Federation.

Secondly, I would like to underline the difficult situation of the elaboration and the adoption the new federal Labour Code of Russian Federation. The chief Russian act bill on the labour relations was adopted in 1971, under socialist conditions in the former Soviet Union. Now it becomes obsolete. Russia tries to build the market economy. Eco-

nomic and social conditions are changing. They demand new Labour laws. There were about ten projects of the future Labour Code of Russian Federation in our federative legislative organ (State Duma). Some of them were based on modern conditions and some – on former ones. Almost all trade-union organizations in our country supported the previous options. They have got a big lobby in State Duma. Nevertheless, now there is a chief project – the project of the Russian government. It is used for the co-ordination of different positions as basic. This interesting project is founded on the market economy conditions and takes into account the best law experience of socialist Russia, too. One can foresee that soon this project will be adopted but with big difficulties in State Duma. It will be the first Labour Code in the Russian Federation based on the fundamental labour market principles.

Thirdly, I would like to consider the problem of Human Rights in Russian national labour law. Not long ago, Russia was an example of many infringements of Human Rights including Labour law area. In my opinion, now in Russia this problem is not a big matter on the federal legislation level. The former Soviet Union and the Russian Federation have ratified both Human Rights Acts and about fifty conventions of International Labour Organization. There are all most important conventions among them, for instance, the conventions concerning the ban to compel labour, the ban of any discrimination in the labour relations, the freedom of association and protection of right to organize, the protection of persons with family duties and so on. Now Russian Federation is going to ratify Convention concerning yearly leaves and some others. Our Constitution adopted in 1993, fixes all fundamental Human Rights in the area of labour: right to work, to rest and leisure, to education, to strikes, to health and safety, e.g. There are rights guaranteed in a lot of different bills concerning the juridical protection of labour in Russia. Formally, Human Rights are well protected in the Russian labour law.

But there are some problems of such protection in our legislation. They are connected with some rules of the Russian government, separate issues of some subjects of the Russian Federation and so on. Now the work devoted the protection of Human Rights is continuing in Russia. As I see it at the moment, the chief matter in this very important field is in the liquidation of the difference between rules of the legislation and the real

practice. There are a lot of mistakes concerning the violations of Human Rights and the Russian labour law in practice, in activity of parties of labour agreements, in courts, and in other institutions. For example, it is a very big problem with non-fulfilment of pay obligations by many employers in Russia. In this connection it is interesting that not long ago the Supreme Court of the Russian Federation set up a new precedent. This legal organ recognize it, that when an employer, as a part of labour contract, does not fulfill his pay obligations, a worker or an employee has got a right to a valid reason downtime and he can not be dismissed.

The optimal decision of these and other topical questions of the Russian labour law helps, of course, this system to be the optimal humanist regulator of individual and collective labour relations in the Russian Federation.

Fundamentals of Labour Law Reflecting Job Mobility

One can practically find nothing about Labour Law reflecting job mobility in any special juridical or economical literature[3]. Meanwhile, lawyers have to study the essence of economic and social aspects of job mobility, otherwise law deduction could be considered groundless. There are many enormous difficulties in this direction. One of them is different viewpoints among author decisions of subject matters, first, what job mobility is, and secondly, where lie the distinctions between job mobility and inconstancy of employment of labour, parishableness of labour[4], migration of labour and other similar categories.

In my opinion, job mobility includes all kinds of changes of the job and the workplace[5]. But the interests of Labour Law are connected with worker' s and employee' s changes of the job and workplace only.

Looking at the question theoretically and practically, I must establish that some important job mobility problems are not enveloped in the Russian labour law as a special national legal system of issues. For instance, there is a situation with illegal labour immigration. According to official information, for example, there are from 400 to 700 thousand of Chinese illegal immigrants in the Far East of Russia only[6]. This burning question

is settled by using means of other parts of Russian law without any participation of Labour Law norms.

It could be thought that one can split the problems of Labour Law reflecting job mobility into common theoretical problems and particular theoretical and practical matters.

With regard to common theoretical problems, I would like to pay attention to some principles. The main results of the job mobility reflection in Labour law are considered in the basic principles:

1) Labor law can not contradict against the social progress using all possible means of adjustment to job mobility;

2) rules of Labor law on the job mobility must be analyzed through a prism of the necessity of public self-preservation;

3) a worker or an employee as the weakest party of labor relations claims in some cases a double dose of protection.

In this paper I have no aim to analyse these principles in detail, but I must point on the following. The first and the second principles are followed from a necessity of the protection of public interests and legal interests of employers. On the pages of Labour law monographs one can note the opinion that public interests and the interests of employers are defended enough by economic means. Consequently, Labour law ought to protect only workers and employees. I refuse to support this thought. Even Adam Smith knew that a civilization demands a common collaboration, it proposes self-limitation from all participants and their readiness to take into account the interests of other persons in the achievement of their own purposes[7].

In the light of this idea, Labour law can not exclude situations connected with job mobility, when the level of workers' and employees' law guarantees will be reduced. In these cases I propose to establish special rule: Labour law norm changed by the lawgiver in a direction of the reduction of the guarantees for workers and employees must preserve an initial action meaning during the action of labour agreements concluded before this law norm changing.

The point is that one of the most important foundations in Labour law is the statement that a worker or an employee as a weakest subject in labor relations (in comparison with employer) needs strong legal defense. The action of this principle is illustrated by a lot of concrete examples from the contemporary Russian labour legislation, for instance, norms of transfers and dismissals, a conclusion of labour (employment) contracts (agreements), an activity of employment service, unemployment benefits and others law means of the social defense of out of work people in Russia.

Situations in the International labour law and in the European employment (labour) law are similar. This deduction is proved by both Human Rights Acts, numerous conventions of International Labour Organization, European Convention on Human Rights, Social Chapter in European Unity Treaty of Amsterdam and many other international standards. For example, the Amsterdam Treaty extends the areas in which directions can be enacted by qualified majority to include: health and safety; working conditions; information and consultation; equality measure; and integration of persons. It continues to require unanimity for: social security and social welfare; representation and collective defense of workers and employees; conditions of employment for non-European Unity nationals; financing job promotion and creation. It introduced a general non-discrimination provision[8].

With regard to particular matters of the Russian Labour law reflecting job mobility, they are divided into (1) questions connected with alterations of working conditions inside enterprises; (2) problems bound up with labour alterations resulting in dismissals; (3) matters followed from an analysis of the Russian legislation on employment and unemployment.

Labour Alterations inside Enterprises

It is not paradox that questions connected with labour alterations inside companies include as a unit a big problem of job mobility. I am sure, when jobs and workplaces change inside enterprises, one can say that it is the internal movement of working force,

hence it maybe hardly considered the job mobility in its own way that is internal job mobility.

The Russian labour law knows three legal kinds of the internal job mobility reflection.

The name of one of them is translated from Russian into English with great difficulty. I propose, the words “shifts of workers and employees” are more suitable in these cases, for example, a driver' s shift from one car to another, a machine operator' s shift from one machine-tool to another, e.g. It is very important from the point of view of Russian labour law, that the heart of jobs and the workplace as an enterprise and as a locality stay without any change, whereas every shift of workers and employees are going on in firms.

Shifts of workers and employees are connected with a freedom of every employer, they represent his rights and are allowed without any consents of workers and employees, except for only one case, when a worker or an employee refuses from the shift pointing on his illness.

In the capacity of the second kind I can note transfers to other jobs (here “job” has got a meaning of labour function) and (or) other workplaces. The procedure for agreeing of individual labour contracts to proceed from their freedom in Russia, demands a written agreement for both contract parties on labour conditions: on the essence of job and on the workplace including exact pointing on the enterprises and the job activity locality. These labour conditions can be changed only after the new agreement of contract participants in writing. But the Russian labour law knows two exceptions from these norms. When there are situations of the so called production necessity or situations of the downtime, then employers have got a right to act transfers without any workers and employees consent.

Transfers are very widespread law situations reflecting internal job mobility in present Russia. They are used in a lot of cases: after the job training; from behind the health status; due to a change of an occupation choice; in connection with career aims; owing to wage effects; in consequence of better labour conditions and so on.

The third legal version of internal job mobility reflection in the Russian labour law is complicated: a change of essential labour conditions because of alterations in produc-

tion and labour organization. In my opinion, it is unfortunate expression: it is to much long, there is no clearness in the construction “production and labour organization” and there is no borderline with shifts and transfers.

Law regulations on changes of essential labour conditions because of alterations in production and labour organization have appeared in Code Laws on Labour of the Russian Federation in 1988 as a result of the amendments. I think, they were in that time and they are for the present the only part of the Russian labour law having capitalist spirit. These rules are very useful to our up-to-date economy. It is not a secret that an organization of production and organization of labour, too, are not good in the Russian economy now. In this area Russian employers must change a great deal. Examining norms in spite of defects are good tools for these purposes in a field of the industrial relationehip.

Employers have to carry out the following juridical rules. For a start, they ought to prove that changes of the organization of production or the organization of labour are present at these enterprises. For instance, the employer can produce as an obvious evidence a new staff-table, a new internal rules of an order, documents on the new technology and so on. After that it is necessary to formulate changes of essential individual labour conditions of each worker or employee in fields of working time, leisure time, labour norming, wages, name of job, qualification and some others. During two months, a worker or an employee has got a right on thinking about an employer' s offer. But if he refuses from the agreement until after finishing two months time he will be dismissed. An action of the principle of a labour contract freedom is put on the brake, as you see, worker' s or employee' s consent is not voluntary and most likely it will be compelled. The dismissal will be possible only if the employer proves reliably that he has got no opportunity to keep former labour conditions for this person.

These regulations are a reason of numerous debate among lawyers in Russia. I am sure, that our present economy needs them. State Duma ought to preserve rules on changes of essential labour conditions because of alteration in production and labour organization in the Russian labour legislation.

Dismissals in the Russian Labour Law

The law regulations on dismissals are very unusual in Russia[9]. Every employer has to carry out a lot of law norms. The employer freedom is limited to these rules too much. But I explain it by many factors. In my opinion, a chief reason is connected with the lowest level of employing culture. Now in Russia most of employers forget about the needs of workers or employees and members of their families. Employers often don't remember their own interest – to worry about workers and employees with aim to have prospects in the profit rise. They think, as a rule, only about the present profit. Consequently, the Russian Federation forces to have many norms on dismissals. But one can establish there are terrible number of these issues cases being violated in modern Russia. In the Report on the Activity of Authorized Person on Human Rights in the Russian Federation in 2000, one can see following figures: near 40 per cent of employing population bumped into their labour right violations in Russia in 2000; 35 per cent of appeals connected with violations of Human Rights in area of labour and employment were regarded to dismissal regulations[10].

In the Russian Federation a worker or an employee can be dismissed only when an employer points on one of the reasons exclusively enumerated in the federal labour bills. These reasons are divided into common (used to all persons) and supplementary (used to special kinds of workers and employees). Beside the reasons, dismissals in the Russian labour law are divided into dismissals connected with initiatives by (1) a worker or an employee, (2) an employer, (3) third officials in regard of labour (employment) contracts (agreements).

I find, the point of view by R. Erenberg and R. Smith, that job mobility includes only voluntary dismissals, is debatable[11]. I consider, all dismissals are being determined by job mobility. You know, job mobility is characteristic of labour markets. From the point of view of dismissal rules and labour market interests, it is important to estimate, what quality of working force in there, or using other words, what the particular reason of

dismissal of this person is. An initiative subject is of no significance in this theoretical question.

Dismissals connected with own initiatives by a worker or an employee (voluntary dismissals) are most simple in the Russian labour law. A worker or an employee must announce his resignation in writing. On the expiry of the two weeks time the employer has to register officially this dismissal. A worker or an employee, as a rule, can point nothing about dismissal reasons. But it is an exception for workers and employees, who use parties of fixed period contracts. They can demand their own dismissals pointing on valid causes only.

In the Russian labour law theory one can consider, that issues on voluntary dismissals are most important guarantees of the real freedom of workers and employees as parties of individual labour contracts. I am sure, it is a very good idea in a juridical field.

Now I turn into a problem of dismissals connected with initiative by employers. In the Russian labour law they are prohibited for persons with family duties, except for dismissals connected with an enterprise liquidation, when these workers or employees are dismissed only after their placement in other jobs.

In Russia dismissals connected with initiative by employers are divided into dismissals being effects of valid causes (for example, a staff reduction, a reinstatement of a worker or an employee before illegal dismissal and so on) and dismissals being result of not acceptable causes (for instance, a worker' s or employee' s absence without any valid reason, a worker' s or employee' s appearance at work in a state of intoxication and some others).

The first group of dismissals, as a rule, demand an obligatory preliminary trade-union' s consent. This norm of the Russian labour law is a reason of debate at present in law science and practice. Many experts think, that this regulation lets trade-unions a groundless right to veto such cases. I agree with this opinion, find it is a discrimination of employers, and propose to establish in the Russian legislation the possibility for legal proceedings in cases, when trade-unions refuse to agree with dismissals without any valid reasons. On the contrary, the second group of dismissals, as a rule, does not demand

trade-union' s consent. Moreover, there are some other differences between these groups of dismissals in the Russian labour law.

After that, some words on dismissals connected with the initiative by third officials in regard of labour (employment) contracts (agreements). The Russian labour law knows only three versions of this officials: representatives of law-courts, representatives of trade-unions and representatives of organs of Ministry of Defense. It seems, that at present Russia norms of dismissals connected with initiative by representatives of trade-unions are obsolete.

The Russian labour law on dismissals has got a special instrument for obstacles of ungrounded job mobility cases. It is an unbroken length of service, which is very important in decisions of some questions on wages, social benefits, e.g. More favourable order of keeping count of this length was established and is acting now for dismissals connected with valid reasons.

Moreover, the Russian labour law helps persons who are dismissed, to have a practicable opportunity to look for a really suitable work at labour markets. This aim (among other purposes) puts on for regulations on the severance pay and some compensatory payments.

The Russian Legislation on the Population Employment

The first Russian bill on the employment of the population was adopted in 1991. It is reserving its action, as a basic normative act in the area of an employment regulation, until today, but to tell the truth, with a lot of amendments.

Specialists in Labour law of Russia and experts in labour law (employment law) of many other countries of the world appreciate the nature of this bill at its true value. I am sure, the main value of the Russian Federation Bill on the Employment of the Population is linked with law policy. I mean the first ban of the forced labour in Russia and the approval of the freedom voluntary labour. One can say, taking into account the conditions of that time, in the beginning of its action this bill was revolutionary, as a matter of fact. Its special law significance and economy significance are more modest.

The normative act I am dealing with, fixes legal definitions of conceptions “the employed” and “the unemployed”. In particular, to conform to the Russian rules, all persons, who are busy of a private enterprise, who are teenagers until 16, who are age pensioners and some others can not be recognized as unemployeds.

The Russian Federation Bill on the Employment of the Population establishes the structure of employment organs and a special order of registration of people who are looking for some job. Unfortunately, most difficult rules provide for the disabled. I find, it is one of the defects of this bill, an example of a disability discrimination. Disability rights must be observed absolutely in Russia. I hope, that State Duma will administer the appointed bill.

Then, the studied bill normalizes the relations on job training of the unemployed, their participation in public work and so on.

After that, the bill fixes the rules on unemployment benefits. In the beginning of personal unemployment period during three month time the unemployed receive 75 per cent his own lost average earnings, then, during four months – 60 per cent, after that and until the end of the benefit receipt period – 45 per cent. A maximum of the benefit receipt period in the Russian Federation equals two years. The Russian labour law knows, moreover, particular issues on the unemployment benefits established to some groups of the unemployed, for example, to strangers from other countries.

As it was expected, all this regulations have got an inadequate effect. First and foremost, the Russian Federation Bill on the Employment of the Population is not full for the stimulation of the economy and labour activity of people in Russia. One can see it in the following table[12].

Figures on an Employment and Unemployment in Russia during from February 2000 to November 2000			
District	The unemployed in thousand and in per cent	Economy inactive persons in thousand people	The employed persons in thousand people
Russia	7515 (10,8%)	40569	62180
Centre of Russia	1449 (8,0%)	10418	16590

North-West of Russia	724 (9,7%)	3839	6730
South of Russia	1447 (15,9%)	6300	7653
District situated on the Volga	1514 (9,9%)	8913	13736
The Urals	625 (10,1%)	3419	5587
Siberia	1285 (13,0%)	5889	8596
Far East	470 (12,5%)	1790	3288

It should not be forgotten, that there are many other normative acts devoted to questions of employment and unemployment in Russia. But Russian Federation Bill on the Employment of the Population is most important act among them. Its merits predetermine the merits of all other normative acts and its defects predetermine the defects of other normative acts on employment or unemployment in the Russian Federation, too.

The Problem of Transferring Labour Law to Employment Law

Now in many European countries Labour Law is transferring to Employment law. I think, it is a very useful tendency to law reflection of economy relations taking in job mobility. The Russian Federation needs this process, too. I suggest the following structure of this renovation part of the Russian law.

1.General introduction to the Russian employment law. This part can consist of the following: industrial relations and employment law; the subject of employment law in Russia; the method of employment law in Russia; sources of employment law in Russia; the system of employment law in Russia; principles of employment law in Russia; the problem of transforming the Russian labour law into Employment law.

2. Labour markets and Employment law in Russia. The content of this part envelops the following questions: labour markets and Employment law in Russia; adequacy of the law in reflecting labour market principles; the role of Employment law rules in the economy of Russia.

3. The Federal Bill of the Russian Federation on the Employment of the Population. This section of the programme enclose the problems: federal law system on employment in the Russian Federation: a common description; forms of

employment in Russia; main categories of Russian employment legislation; the registration procedure for people who are looking for a job; the order of the registration for the unemployed citizens; rules on unemployment benefits in Russia.

4. Collective labour relations and the legal regulation of them. There are the following problems included in this part: the general presentation on collective labour relations and the law regulation of them; trade-union rights in Russia; collective agreements in Russia; strikes in Russia; other forms of worker and employee participation in managing of firms; the meaning of the social partnership in Russia.

5. The right to work. This section consists of the following questions: right to work essentials in Russia; the law regulating problems of discrimination and differential labour conditions; the definition of labour agreement (contract) in Russia; kinds of labour agreements (contracts) in Russia; procedure for agreeing of individual labour contracts; harmonisation and form of the European employment contract adopted by European Unity; the protection of the right to work; the protection of employers' interests; legal conditions of transfers to other jobs and workplaces in Russia.

6. Working time. The right to rest and leisure. The right to a fair wage. This part can consist of the following: the connection of labour economics and Employment law in the areas of working and leisure time, labour norming and wage; working time regulations in Russia; leisure time regulations in Russia; right to fair wage in Russia; main issues on labour norming in Russia; Russian normative acts on wages.

7. The right to health and safety at work. Special protection of women, adolescents and the disabled. This section of the programme includes the following questions: right to job safety in Russia: general introduction; essentials of health and safety at work legislation of Russia; rules on safe operation of equipment; norms on job-related accidents and legal responsibility of employers for those accidents; special protection of women, adolescents and the disabled in Russian employment law; inspection for labour protection in Russia.

8. Employment law and labour discipline. Disciplinary procedures. There are following problems included in this part: labour discipline as legal duty of workers and employees; the definition of labour discipline in Russian employment law; Russian

legislation on discipline responsibility of workers and employees; Russian legislation on property law responsibility of workers and employees.

9. Russian Law concerning procedures for the resolution of labour disagreements between workers or employees and employers. This section of the programme includes the following questions: general points on jurisdiction over labour matters; the term “labour disagreements”; kinds of labour disagreements; the order of individual labour disagreements in Russia; the order of collective labour disagreements in Russia.

Stated proposal de lege de ferenda will be the practicability in Russia if State Duma will replace the Russian Federal Bill on the Employment of the Population by the Code of Employment Law of the Russian Federation. In such case the Labour Code will become a basic federal bill added to the Code of Employment Law of the Russian Federation.

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1. Rossiyskaya Gazette. 16 May, 2001.

2. Erenberg R., Smith R. Contemporary Labour Economics. Theory and State Policy. Moscow, 1996. P. 317-362.

3. For example: Barrow Cn. Industrial Relations Law. London, 1997; Nairns J. Employment Law for Business Students. Liverpool, 1999; Anderman S. Labour Law: Management Decisions and Workers' Rights. London, 2000. Incidentally, that these books are destined for the particular coverage of law aspects of labour economy.

4. See: Marshall A. Principles of Economics. Moscow, 1993. Volume 3. P. 336.

5. One can compare this with judgements of R. Erenberg and R. Smith (Erenberg R., Smith R. Contemporary Labour Economics. Theory and State Policy. P. 363-364).

6. Rossiyskaya Gazette. 5 June, 2001.

7. One can find the words about this in the book: Heyne P. The Economic Way of Thinking. Chicago, 1973.

8. Anderman S. Labour Law: Management Decisions and Workers' Rights. P. 22-23. See also: Working life. A new perspective Labour Law /Edited by K. Ewing. London, 1996. P. 21, 32-34, etc.

9. Compare with, for example, United Kingdom issues on dismissal: Duggan M. Unfair Dismissal: Law, Practice and Guidance. Hertfordshire, 1999. I am sorry, the Italian labour law is almost unknown in Russia. I would like that the situation will change in the better direction.

10. Rossiyskaya Gazette. 16 May, 2001.

11. Erenberg R., Smith R. Contemporary Labour Economics. Theory and State Policy. P. 363.

12. Rossiyskaya Gazette. 9 June, 2001.