



ЦИФРОВЫЕ
ТЕХНОЛОГИИ
И ПРАВО

BASIC QUESTIONS OF THE CONCEPT OF WORK IN THE LIGHT OF DIGITALIZATION

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The topic of this lecture:

- What do we mean by work?
- Defining the concept of work
- Expansion of the concept of work
- Relevance of classic qualification marks
- Digital effects and labor law addiction –independent and depended work

Defining the concept of work

- Economic approach – no benefit – not work
- Concept rooted in 1970s
- Can only an activity performed in return for consideration be work?
- Housework – domestic work – social usefulness

Expansion of the concept of work

Classical employment relationships

- filled with employers instructions
- changes caused by digitization affected its paradigms
- is it relevant?

Dichotomy is the key to systematization of work (by Horváth-Petrovics)

Transcending the examination of dependence and independence

Cooperative work, stipend employment, household or voluntary work

Expansion of the concept of work

Transformation of the definition of work

- source of livelihood,
- the fulfillment of the realization of career goals
- realized as an individual's passion

Discontinuity and individualization

Digital effects and labor law addiction

Dual model of employment relations means the dichotomy of the employee and the self-employed

Platform works

- flexible, atypical relationship
- a mixed legal relationship
- a minimum task to be performed / the number of hours is not determined
- hybrid solution

Basis of the employment relationship

Dependent work

- concrete economic dependence,
- the theory of personal dependence

Independent work

- platform does not provide instructions
- the platform : not in a position of dominance
- carried out by social groups

Conclusions

1. Necessary to create a concept of work that only covers contingent work
2. The creation of an eternally valid concept is an impossible task for the legislator
3. It is necessary to reflect on the changing conditions

Final thoughts

Concept of work is both a static and a dynamic definition

How far can this concept be extended?

How well the legislator is aware of the concept of work- legislature is far behind

Protection of employers

Solution of labour market problems and social legal challenges



Thank you for your attention!



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