



THE FUTURE OF THE LABOUR MARKET AND LABOUR LAW

INTRODUCTION

At present, we are witnessing dynamic changes in the labour market. First of all, in most sectors, it is changing from an employer's market to an employee's market. The fall in unemployment to the lowest level in the last twenty years and the increased demand for qualified employees is not only a reason for satisfaction, but also a great challenge, for both employers and the legislator. According to the Central Statistical Office (GUS), we are currently short of 120,000 employees (and this number is consistently growing), which puts a significant brake on the development of our economy.

In order to enhance the competitiveness of the economy, apart from the problem of the lack of workers, we must strive for technological development. On the one hand, this is frequently restricted by the existing legal framework, but on the other hand, technological progress itself creates, and will create, legal issues which we will have to solve.

The consequences of further technological progress on the labour market are hard to predict; however, this does not mean that we should not try to do so. This competition is one attempt at doing just that.

The circumstances described above coincide with the work of the Codification Committee, which is currently drafting provisions pertaining to individual and collective labour law that may replace the existing Labour Code in the near future. Today, no one doubts that the Labour Code is not adequate to the requirements of the market and that it must be thoroughly amended in order to meet the needs of the innovative economy.

In responding to these needs, the legislator must strike a balance between the protective function of labour law and the economic freedoms and employers' interests that have a direct effect on our economy. The legislator should also create appropriate solutions for people working under contracts that are not employment contracts.

It is also worth remembering that striving to achieve better order in current legislation is an intrinsic feature of any codification, but at the same time any codification contains elements that shape reality to some degree.

For this reason, the Polish legislator should determine whether the aim of the future Labour Code is to organize the existing state of affairs only, or whether it is to be, to a certain degree, an instrument for creating changes and shaping new social and economic relationships.

ASSUMPTIONS OF THE COMPETITION

The circumstances described above are, naturally, being widely discussed - especially by academics.

In our opinion, it may be worth hearing the voice of the people who, in a few years, will not only be participants in the market, but who will also be creating it (from the legal or the business perspective).

The aim of the competition is to enable this generation to express its views on the current solutions, on how they envisage their future in the labour market, and on the labour market itself and its legal environment. It is important to remember that we are creating the regulations today that are largely designated for these people. Their voice, ideas, and expectations might be inspiring and worth discussing.



The competition is addressed to young people. The age limit for participants is 26.

We would like participants not to focus on the interpretation of particular legal norms or institutions, but to look at issues that are of interest to us from a broader perspective by analysing the current situation and formulating, as far as possible, *de lege ferenda* recommendations. These recommendations should not necessarily be of a technical legislative nature, but rather present certain ideas and directions of change.

Therefore, the formula of the competition is open: participants may write an essay on any topic falling within the framework of the above assumptions and the idea of the competition.

By way of an example only, we suggest that your essays cover one of the following issues:

1. Labour law and new technologies. What impact does the digitalization of the economy have on labour law and how should the legislator respond to this challenge?
2. What will the labour market look like in the next five to ten years? Where are we now and where are we heading?
3. An employment contract or an engagement contract? The protection of engaged people versus economic freedom.
4. A single Labour Code or a number of legal acts on particular classes of employees - advantages and threats?
5. Protection of labour in the 21st century. Anachronism or necessity?

We look forward to receiving your essays.

GOOD LUCK!

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