

Fundamental Principles and Rules of Labour-Law Relations

Abstract

This diploma thesis focuses on the fundamental principles and rules of labour-law relations, with particular emphasis on the principle of special statutory protection of employee status as a cornerstone of the protective function of labour law. Two main hypotheses underpin the research: first, that modern trends in labour law—notably digitization, the expansion of digital work platforms, and growing demands for flexibility—significantly weaken its protective function vis-à-vis employees (due to economic pressures and the breakdown of the traditional “employer–employee” dichotomy); and second, that legislative and institutional reforms are essential to maintain the real effectiveness of this principle, given the rising importance of mental health and human dignity in the workplace.

The initial sections outline the general framework of fundamental principles in labour-law relations, followed by an examination of dependent work and a subsequent discussion of the special statutory protection of employee status from its historical evolution to its current legal embodiment. The thesis further examines specific manifestations of this protection—satisfactory and safe working conditions, fair remuneration, and safeguards against arbitrary dismissal—alongside modern trends that often erode established regulations: flexicurity, digitization and remote work, precarization of work, and digital work platforms.

The final part presents *de lege ferenda* proposals aimed at strengthening the principle of special statutory protection of employee status. These encompass a redefinition of dependent work (including a rebuttable presumption of employee status for work performed via digital platforms in the sense of Directive (EU) 2024/2831), more robust prevention of stress and support for mental health, a reassessment of the abolishment of the guaranteed wage, and reinforced safeguards against arbitrary dismissal, for instance through the institution of a labour ombudsman offering free legal counseling. The findings indicate that the principle of special statutory protection of employee status, bolstered by new legislative and institutional measures, remains crucial to upholding dignified and stable working conditions in a rapidly evolving labour market.

Key words: special statutory protection of employee status, fundamental principles of labour-law relations, digital work platforms, flexicurity, labour ombudsman