1. CENTRAL- AND EASTERN-EUROPEAN SOCIAL LAW IN THE PROCESS OF GLOBALIZATION

Central- and Eastern-European social law (labour law and social security) used to be seen as a branch of law whose tradition was to protect the 'weaker party' - the employee - and therefore was perceived as one of the most progressive branches of legal sciences.1 At the turn of the century the protective notion of the social law in Europe has began vanishing systematically.2 Under the magic words of 'the necessity to achieve an economic growth' in order to be able to compete with the United States and Japan various European labour lawyers decided to advertise ideas of 'flexibility' and 'efficiency'.3 In order to comply with requirements of market forces European continental labour lawyers, until now preoccupied with the necessity to preserve ideas of dignity and security of

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employment, creation and maintenance of the social network, decided to preach neoliberalistic values trying to accommodate needs of foreign capital. In the global economy foreign investors are not prejudiced while making decisions in matters of moving their businesses from the states with more generous social policies to those which cost of labour is lower. In the field of social law 'globalization' is seen as a process of economic integration characterized by dispersion of jobs. Outsourcing, telecommunicating and home working are being perceived as new techniques of organizing work performed outside an employment contract. And employers are less willing to invest in human capital of stable workforce performing in a continuous employment relationship. It was noted that more work is performed outside conventional employment. Modern employers prefer to establish and maintain a commercial relationship with 'the other side of industry' and expect individuals who sell labour as a commodity to act as entrepreneurs. Redefinitions of work organization brought by mobile capital moving around the globe was made possible in those Central- and Eastern-European states that fight with high unemployment rates and thus are willing to eliminate former protective legislation and apply more flexible rules which accommodate needs expressed by the capital. National labour markets are taking part the global economic interplay of supply (labour) and demand (work) factors. Present Central-and Eastern-European labour regulations are under heavy influence of the global economic demands. Poland, run by the leftist government, is under heavy pressure brought by trade unions to increase the employability of the unemployed. Within limits established by the European Union new, more flexible labour regulations came into force on January 1, 2004. Those regulations primarily include organization of working time enabling employers to schedule work within framework established by the working time directive 94/104/EC which requires:

- a minimum daily rest period of 11 consecutive hours,
- a maximum working week of 48 hours on average (overtime included),
- a minimum rest period of one day a week;
- a rest break during a working day longer than 6 hours,
- four weeks annual paid holiday,
- a maximum of 8 hours of night work within 24 hours.

New labour regulations which deal with the organization of working time allow employers to schedule working time tables the most productive way and to extend hours of work on daily bases within periods set up accordingly with national labour laws. The legal nature of labour regulations which deal with social rights of regular