

## THE SUMMARY OF DOCTORAL DISSERTATION

*Judicial control of relationship termination as a mean of employment relationship permanency protection.*

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The subject of this doctoral dissertation is judicial control of relationship termination as a mean of employment relationship permanency protection.

The primary issue for labor law is protection of employment relationship permanency, which is understood as a limitation of right to terminate or dissolve of employment, fulfilled by implementation of specific legal measures. This kind of measure is the ability to call independent and impartial legal body for settlement of dispute related to the assessment of the correctness of its termination.

Judicial control of employment termination, next to the validity of employment termination and obligation to consult with trade union the intention to terminate the contract, is one of the elements of protection of employment permanency. In Polish legal system the Labor Court (the *Tribunal*) is a body to which the employee may appeal against termination of employment, and which has the competence to decide whether the termination was formally and substantively well justified.

The basic idea of the doctoral dissertation is, that the judicial control of employment termination is an essential component of employment permanency protection. Without its functioning on the principles of universality, specialized nature and high degree of informalisation, the employee would be in practice deprived of possibility to protect its rights. As a subsidiary thesis assumed, that the fact of existence of the possibility to refer the case concerning employment termination to an independent and specialized court has the stabilizing function of employment relationship. An employer having, in fact, awareness, and what is more, the obligation of notifying an employee about the possibility to appeal against the employment termination, must consider whether the reasons due to which employer intends to terminate the employment, as well as procedures, are sufficient and correct grounds for this action, or can it be legitimately challenged in judicial appeal.

The research aim of the dissertation was to demonstrate the role that judicial control of employment termination has, in the context of employment permanency protection and answer to the question whether the legal regulations which are its grounds, give grounds to

