

Abstract of the doctoral dissertation

Author: Anna Moskwa, M.A.

Supervisor: Katarzyna Kaczmarczyk- Kłak, Associate Professor, Habilitated Doctor

Dissertation subject: Remuneration for work in the aspect of the pan-European legislation and principles of the Polish Republic Constitution

The subject of considerations undertaken in the doctoral dissertation are the problems of remuneration for work in the Polish labour law in the aspect of the pan-European legislation and principles of the Polish Republic Constitution. The aim of the dissertation is to demonstrate that values such as: freedom, equality, justice, confidence and legal safety as well as basing them on the basic human rights in the scope of labour law and therefore remuneration for work – in the result of occurring integration processes - „have moved over to the suprapstate plane”, bestowing them a pan-European advantage as already common values within the framework of Europe. The consecutive goal of research is work – work as a process, which takes place first of all between a man and nature, in which the man by his activity realises, regulates and controls exchange of the matter with nature. Thus specialisation takes place and isolation outside work, of another type of activity, which has already been defined with a label of services. In the thesis there have been presented relations between minimum remuneration and decent/indecent remuneration, issues connected with social rights relating to labour law analysed on the plane of dignity of a human being as well as the notion of social justice and its meaning for remuneration for work. The category of remuneration for work constitutes an essential element of social-economic and legal life. Remuneration for work is one of the main features of the employment relationship (art. 22 § 1 Labour Code) and the basic source of income of the major part of the society.

In the Polish system of labour law one can vainly seek for a legal definition of the notion „remuneration for work”. This complex expression, and constituting it „work” and „remuneration ” does not have in itself an unambiguous character. Both terms are ambiguous. In language of the law as well as legal language three categories are distinguished structuring this expression (minimum, decent remuneration, just remuneration). The aims of the dissertation are not limited only a legal-dogmatic aspect of this problem. A philosophical, sociological an economic aspect was also taken into consideration. Modern debate concerning remuneration for work is episodic and multi-layered. In the thesis besides methods appropriate on the grounds of law-making, such as: the method of historical analysis, comparative, dogmatic-legal, or theoretical - legal analysis one also has used the method of

