Summary of Professional Accomplishments

1. Name

Aneta Tyc

2. Diplomas, degrees conferred in specific areas of science or arts, including the name of the institution which conferred the degree, year of degree conferment, title of the PhD dissertation

2004-2009 Faculty of Law and Administration of the University of Lodz, uniform stationary Master Degree studies in administration, specialisation: public administration, seminar at the Department of Labour Law; studies completed with a very good result, the diploma dissertation grade and the diploma examination result - very good; Master's exam on June 23, 2009 - obtaining the professional title of Master of Administration;

2006-2010 Faculty of Law and Administration of the University of Lodz, uniform stationary Master Degree studies in law, civil law profile, seminar at the Department of Civil Procedure I; studies completed with a very good result, the diploma dissertation grade and the diploma examination result - very good; Master's exam on June 30, 2010 - obtaining the professional title of Master of Law;

2009-2015 Faculty of Law and Administration of the University of Lodz, Department of Labour Law, uniform stationary doctoral studies in the field of law; average grade for all examinations in the course of doctoral studies and doctoral examinations - 5.0;

June 16, 2015 – Defense of the doctoral thesis entitled "Burden of proof in labour law". Supervisor: Professor Zbigniew Góral; reviewers: Professor Krzysztof Wojciech Baran (Jagiellonian University) and Professor Teresa Wyka (University of Lodz);

June 19, 2015 – Resolution of the Council of the Faculty of Law and Administration of the University of Lodz on the award of the Doctor of Law degree, specialisation: labour law and the resolution of the Council of the Faculty of Law and Administration of the University of Lodz on the distinction of a doctoral thesis.

3. Information on employment in research institutes or faculties/departments or school of arts

October 1, 2015 - September 30, 2017 University of Lodz, Faculty of Law and Administration, Department of Labour Law, Assistant Professor, half-time;

October 1, 2017 - February 28, 2021 University of Lodz, Faculty of Law and Administration, Department of Labour Law, Assistant Professor, full-time;

From March 1, 2021 - University of Lodz, Faculty of Law and Administration, Department of European, International and Collective Labour Law, Assistant Professor, full-time;

In the 2015/2016 academic year, I was a lecturer at Professor Szczepan A. Pieniążek University of Humanities and Economics in Skierniewice (civil law employment). Besides, after defending my doctoral thesis, I conducted classes at the Postgraduate Studies in Labour Law for Employers and Managers (in 2018 also at Postgraduate Studies at the Lodz University of Technology). In the 2010/2011 academic year, I was a lecturer at the University of Humanities and Economics in Pabianice (civil law employment).

4. Description of the achievements, set out in art. 219 para 1 point 2 of the Law on Higher Education and Science of 20 July 2018 (Journal of Laws 2020, item 85, with amendments)

The monograph entitled "Global Trade, Labour Rights and International Law: A Multilevel Approach", which I present here as my habilitation thesis, is my most important scientific achievement after obtaining the Doctor of Law degree. The indicated achievement makes a significant contribution to the development of the legal science discipline. It was published in 2021 in London and New York by the British publishing house Routledge, which in the year of publication of the final form of the monograph was included in the list drawn up in accordance with the regulations issued on the basis of Article 267 para. 2 point 2 letter a) of the Act of July 20, 2018 Law on Higher Education and Science (300 points; level II of the list of the Ministry of Science and Higher Education of publishing houses publishing peer-reviewed scientific monographs). Thus, the monograph meets the conditions set out in Article 219 para. 1 point 2 letter a) of the above-mentioned Act.

The monograph is the result of an individual research project entitled "Global Trade and Labour Rights" financed by the National Science Centre in Poland (SONATA call, no. 2016/21/D/HS5/03849, contract signing date: January 11, 2017; project completion date: January 10, 2021).

The achievement discussion:

Despite a long debate on the linkage between labour standards and global trade, and numerous attempts to answer the question of how to provide not only economic growth but also social justice and the effectiveness of fundamental labour rights, a response to the plight of many workers worldwide is still needed. Thus, the main scientific problem of the monograph boils down to the question: what are the levels on which we could see the possibility of improving the regulation of labour governance processes on a global scale in the direction of achieving economic growth, social progress and more effective protection of labour rights? This book employs a multilevel approach, thus its main themes are as follows:

- the history of development of workers' rights in the context of global trade rules,

- the effectiveness and the role of the International Labour Organization (ILO) in the second century of its existence,
- the World Trade Organization (WTO) and its potential relevance in the protection of labour rights,
- labour rights under the Generalised System of Preferences programmes,
- labour provisions in international trade agreements and
- private standard-setting processes, including their impact on labour rights.

Consequently, the book naturally covers diverse layers of social structure from the very micro to the very macro, for example, workers, employers, companies, industries, states, governments, international organisations, global economy. There are interactions between these layers and each of them is impacted by diverse processes and trends. A multilevel approach helps in identifying dimensions on which to address labour rights in the most efficient manner.

Chapter I is entitled "The history of development of workers' rights in the context of global trade rules". From a historical point of view, the linkage between labour standards and global trade has been recurrent for more than 200 years. Trade and labour nexus was already assumed in David Ricardo's theory on comparative costs dating back to eighteenth century. At that time, in 1788, minister of finance of King Louis XVI – baron Jacques Necker – claimed that the abolition of Sunday as a day of rest could provide a competitive advantage to a country if other countries did not act in the same way. Then, many industrialists of the nineteenth century understood that countries that wished to improve the position of their working classes would be negatively affected by competition from other countries that did not. Some of them, e.g. Daniel Legrand and Robert Owen, incited discussions about an international regulation of labour. There is a general conviction that Robert Owen was the inspirer of international labour legislation. I claim, however, that he was rather an advocate of labour legislation practised at international level and that it was Charles Frederick Hindley, a member of the British Parliament, who should be regarded as the founder of the idea of international labour legislation.

I maintain that, in particular, the following can be considered the principal milestones in the history of the trade-labour nexus:

- conferences aiming at establishing the first international conventions (inter alia in 1890, 1897, 1905–1906, 1913);
- in the US - Hawley-Smoot Tariff Act of 1930, Tariff Acts of 1922 and 1930, and National Industrial Recovery Act of 1933;
- the First and the Second Phelan Memorandum of 1918 and 1919;
- the establishment of the ILO in 1919 with its Constitution stating that 'the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries';
- the Declaration of Philadelphia with its formulation that 'poverty anywhere constitutes a danger to prosperity everywhere';
- The Havana Charter on the International Trade Organization (ITO), agreed in March 1948, which constituted an early attempt to include a comprehensive labour provision into the multilateral trade framework;
- the Marrakesh Agreement of 15 April 1994 establishing the WTO, which reinforced the regime of international trade and constituted a step towards its autonomisation;

- the Singapore Ministerial Declaration adopted at the first WTO Ministerial Conference on 13 December 1996, which cut off any attempts to form a clear link between trade and labour rights at multilateral level;
- the 1998 ILO Declaration on Fundamental Rights and Principles at Work, which repeated the viewpoint from Singapore on the inappropriateness of labour standards jeopardising comparative trade advantages;
- the 2008 ILO Declaration on Social Justice for a Fair Globalization, according to which 'the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes'.

Research has shown that historically two sets of arguments were presented in the labour-trade linkage debate. Proponents of linking labour standards with trade believe that international trade regulation should ensure that the goods traded are not produced in violation of labour standards. Two influential OECD studies of 1996[1] and 2000[2] have strongly affected the debate. In the 1996 study, the OECD sought to explain that proper implementation of some core labour standards can support economic development, allowing trade to expand. The findings presented in the 1996 study were as follows: the more successful the trade reform in respect of the degree of trade liberalisation achieved, the greater is the respect of association rights in a given country. On the contrary, the more restrictive the trade regime in a country, the worse is its level of compliance with the ILO respective conventions. This means that one of the most important findings in the 1996 document was in favour of a mutually supportive relationship between improvements in bargaining and association rights and successfully sustained trade reforms. The OECD document of 2000 sustained that there was no evidence that countries with low core labour standards enjoyed a better global export performance compared to countries with high standards. However, it was further clarified that the difference between core labour standards and other labour standards was crucial for the purpose of analysing effects on trade performance. Admittedly, core labour standards do not have a negative impact on comparative advantage and may even have a positive effect, but standards such as minimum wages and working time can affect patterns of comparative advantage, for example, negatively affecting trade performance. In fact, supporters of the linkage between labour standards and global trade argue that countries that do not respect ILO labour standards gain competitive advantage that can result in a 'race to the bottom' phenomenon. Besides, advocates of the nexus pose questions about the effectiveness of the ILO's enforcement mechanisms. Hence, they take the view that the introduction of economic sanctions and their imposition on countries that do not respect the core labour standards should be received positively since it could exert influence on those countries, making them extend the fundamental rights of workers to their citizens. Supporters of the trade-labour linkage argue that core labour standards should be considered as basic human rights as reflected in the United Nations Conventions. They add that the WTO should be forced to obey Article 1(3) of the UN Charter in the light of which one of the purposes of the UN is to achieve international cooperation by 'promoting and encouraging respect for human rights and for fundamental freedoms for all'. Alternatively, 'it might be that states themselves have a legal obligation to "promote and protect" (and hence presumably to

[1] OECD, Trade, Employment and Labour Standards: A Study of Core Workers' Rights and International Trade (Paris: OECD Publishing 1996) https://doi.org/10.1787/9789264104884-en.
[2] OECD, International Trade and Core Labour Standards (Paris: OECD Publishing 2000) https://doi.org/10.1787/9789264188006-en.

incorporate) human rights in their negotiation of trade treaties'[3]. Last but not least, according to 'the solidarity argument', industrial countries will be perceived as participating actively in the exploitation of workers in developing countries if they do not insist on the adoption of universal minimum labour standards.

The second group of arguments embrace those presented by anti-linkage proponents. They not only claim that labour standards and international trade are unrelated and should be kept separate, but they also argue that protectionism and false humanitarianism is hidden behind the concept of such a nexus. They also add another argument against the linkage that market-based economic policies are adequate tools in order to improve labour practices in developing countries as they 'offer superior policy settings for lifting the pace and breadth of economic development'[4]. Critics of the trade-labour nexus perceive that linkage as an invasion of sovereignty for it takes away the nation state's autonomy over the production processes within its jurisdiction and dictates universal standards without paying attention to local conditions or preferences. Some linkage opponents even highlight that the solution lies not in trade sanctions but in international agreements on core labour standards, with voluntary compliance. Trade sanctions that may only worsen the situation of workers in targeted countries constitute an important argument against linkage.

A multilevel approach on which the book is based required to devote considerable attention to the ILO's activity (**chapter II**), not only in the context of its great heritage, but particularly in the context of the Preamble of the ILO's Constitution, according to which: 'the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries'. The wording reflects one of the key drivers that led to the creation of the ILO, that is, the need to protect workers from the adverse effects of international competition.

When it comes to assessing the ILO's standard setting framework resulting from its Constitution, it should be noted that it has quite often been criticised in the literature. It was argued, e.g. that there are many outdated conventions that do not match current conditions prevailing in the world of work. As a result of the conducted research, it was proved that the change in the situation was influenced by an amendment to the ILO Constitution adopted in 1997 by the ILO General Conference allowing the abrogation of outdated conventions according to 'acte contraire' procedure[5]. At its 106th session in June 2017, the International Labour Conference abrogated, for the first time, obsolete international labour conventions. Moreover, two conventions were withdrawn. Incidentally, an important finding was also made that withdrawal procedure must be distinguished from the procedure for abrogation. The latter applies to conventions which are in force whereas the former applies to conventions which have never entered into force or are no longer in force due to denunciations, and to recommendations. It would be fair to say that both procedures and the ILO's clear will to use them contribute to up-to-dateness of labour standards.

The research carried out in this part of the monograph also showed that members holding non-elective seats in the ILO Governing Body do not set a good example as regards

[3] Pascal McDougall, 'Keynes, Sen, and Hayek: Competing Approaches to International Labor Law in the ILO and the WTO, 1994–2008' (2017) 15(1) Northwestern Journal of Human Rights 32, 60.
[4] International Organisation of Employers, The Evolving Debate on Trade & Labour Standards (Geneva: IOE 2006) 2 <www.wto.org/english/forums_e/ngo_e/posp63_ioe_e.pdf>
[5] The procedure for the abrogation of an outdated convention is the same as the procedure for its conclusion.

ratifications, including core ILO conventions forming the basis of the 1998 Declaration. But the problem is broader and there is generally still a great number of countries reluctant to ratify the ILO conventions. Moreover, the ratification itself does not guarantee full compliance with the provisions of a convention.

The book also includes the evaluation of the ILO's supervisory machinery. Procedural compliance, concerned with formal obligations such as reporting, seems to be on the decline. Added to that is the fact that substantive compliance, that is, whether states have fulfilled obligations set out in an international instrument, is also unsatisfactory, especially in terms that ILO appears to be unable to respond to cases of non-compliance.

The analysis of the procedural dimension of compliance[6] and the most recent data for 2019 showed that a total of 1,419 reports were received by the office (under Articles 22 and 35 of the Constitution) representing 70.7% of the reports requested. This is not an impressive result and the analysis of previous reports leads to the conclusion that there is a general declining trend as regards reporting compliance. Similar conclusions can be drawn if one focuses solely on data concerning Article 22 of the Constitution. A noticeable downward trend in the number of submitted reports under Article 22 is said to be related to the constant increase in the number of members and ratifications of ILO Conventions, especially since 1989/1990. Clearly, many member states struggle with administrative problems, which prevent them from fulfilling their reporting obligations. Not astonishingly, some other states just want to avoid being assessed by the CEACR. A lack of their political will or indifference overshadow the procedural aspect of compliance.

The other aspect of compliance, i.e. substantive compliance, relates to all obligations other than procedural ones, namely to the legislative as well as practical implementation of the treaty's requirements. Cases of substantive non-compliance have most frequently been detected due to the comments on the situation by workers' and employers' organisations. On numerous other occasions, the CEACR strictly adheres to its legal analysis without taking account of the factual situation. The institutionalisation of the CEACR as a body of legal experts contributes to this deficit because of its lack of investigatory capabilities in the sense that the examination is based on written information only[7]. One can infer from the number of observations the CEACR makes on the application of ratified Conventions that there are many regions in which cases of substantive non-compliance tend to increase. The number of infringements of international labour standards seems to be rising, even if one takes into consideration the increase in members and ratifications. One must admit that there were also many cases regarding ILO member states for which the CEACR has expressed its satisfaction on specific conventions. Unfortunately, upon looking at these numbers one has the feeling that there is a decreasing number of countries for which satisfaction has been expressed.

Detailed research on the activities of the ILO led me to conclude that, still and all, steps taken by the ILO in recent years to strengthen the supervisory system require a positive assessment. This comment refers, among others, to 'The Standards Initiative: Implementing the workplan for strengthening the supervisory system'. Besides, it is only right that a new practice

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[6] The procedural dimension of compliance includes the fulfillment of the reporting requirement but does not embrace the ratification of international agreements.

[7] Lars Thomann, Steps to Compliance with International Labour Standards: The International Labour Organization (ILO) and the Abolition of Forced Labour, Wiesbaden: Springer 2011, p. 26, 176–177.

of 'urgent appeals' was established by the CEACR during its 88th and 89th sessions with a view to enhancing supervision of ratified ILO conventions. Similar considerations shall be made in relation to the measures approved by the Governing Body in 2018 and concerning the operation of the representations procedure under Article 24 of the ILO Constitution[8]. Certainly, it is correct to support the adopted direction of change that consists of strengthening the ILO's enforcement machinery.

In this part of the monograph, I also assessed the ILO's effectiveness. The Treaty of Versailles in its Article 419 (Article 33 of the ILO Constitution before 1946) allowed for the measures of an economic character in the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice. However, this provision had never been used and, in 1946, the reference to economic sanctions was deleted. This clause was replaced with the current Article 33 according to which the Governing Body may recommend to the Conference such action as it may deem wise and expedient to secure compliance. The Myanmar case, in which Article 33 was invoked, showed poor effectiveness of the ILO mechanism since the Government of Myanmar did not cease to violate the Forced Labour Convention. In view of this, it is argued that the ILO has, in general, the ability to define, evaluate and monitor international labour rights, but it lacks effective enforcement mechanisms to ensure that these rights are respected in practice.

It follows from the analysis that, in fact, the instruments currently available to the ILO to achieve member compliance are limited to dialogue, publicity, moral persuasion, diplomacy, technical assistance and naming and shaming. However, a fundamental question arises as to whether shaming produces results. It is rather the case that the worst violators of labour standards do not feel ashamed of failing to comply with conventions they have ratified. China's example is a good illustration of this. It is worth asking whether the wording of Article 33 of the ILO Constitution in its original version (Article 419 of the Treaty of Versailles) was better than the current one. If one finds such a solution questionable, another alternative could be to fully trust the ILO for, as pointed out by Maupain: "While the organisation's greatest merit is that it already exists, . . . thanks to an ingenious constitutional framework it also has the capacity to reinvent itself from the inside to meet the expectations of its founders and become a more effective social regulator of the global economy"[9].

Chapter III is entitled "The WTO needs reforms: is there space for labour rights?". The book could not omit an analysis of the suitability of the WTO as an organisation for enforcing labour standards, especially that there are opinions in the literature claiming that the WTO dispute resolution system is 'the jewel in the crown of the WTO', and that thanks to the use of this system, the WTO would have the potential of being successful where the ILO has failed in holding member states responsible for labour violations.

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[8] Among other things, these measures include 1. arrangements to allow for optional voluntary conciliation or other measures at the national level, leading to a temporary suspension for a maximum period of six months of the examination of the merits of a representation by the ad hoc committee, and 2. ratification of the conventions concerned as a condition for membership of governments in ad hoc committees unless no government titular or deputy member of the Governing Body has ratified the conventions concerned.

[9] Francis Maupain, 'ILO Normative Action in Its Second Century: Escaping the Double Bind?' in Adelle Blackett and Anne Trebilcock (eds), Research Handbook on Transnational Labour Law, Cheltenham, Northampton: Edward Elgar Publishing 2015, p. 243.

It is important to note that a fundamental principle of the General Agreement on Tariffs and Trade (GATT) aims at national treatment, that is, non-discrimination between imported and domestic products. Article III of the GATT introduces a requirement that imported products are subject to the same treatment as domestic goods in regard to internal charges and other internal regulations connected to the marketing of products. Thus, we can talk of a gap between international labour standards and the rules of multilateral trading system, which is caused by the ILO principle of 'no sanctions' and the GATT principle of 'non-discrimination'. The WTO and the ILO lack provisions creating a nexus between both organisations. A two-stage research method has been employed for assessing the usefulness of the WTO, namely: how could the potential of the WTO be used in order to help the ILO? First, I examined whether the GATT exceptions may be interpreted in a way allowing trade sanctions for reasons related to violations of workers' rights. GATT principles, including the principle of non-discrimination, are subject to exceptions not only for trade-related but also for non-trade-related reasons. For example, Article XX GATT, which, inter alia, provides for the possibility of using trade measures if it is necessary to protect public morals, as well as human, animal or plant life or health (letter a and b). The question therefore arises whether the exception may be interpreted broadly by assuming that child labour or forced labour threatens public morals, human life or health. If the answer to this question was affirmative, it would equal to the possibility of imposing sanctions against the state committing these types of infringements. If such a solution fails, second, what are the other possibilities of creating a linkage between trade and labour standards understood as 'a provision of international law authorizing countries to regulate the access to their market by adopting discriminatory trade measures in accordance with the level of compliance with core labor standards in the country of origin'?[10]

Research has shown that the current legal framework appears to preclude such an interpretation according to which the GATT exceptions may be interpreted in a way allowing trade sanctions for violations of labour rights. In the second research phase, the study focused on the most important voices claiming that:

- labour standards should be left to the ILO only (e.g. Hepple[11]),
- labour standards should be encompassed by the WTO agenda (e.g. Cohan Baclawski[12]; Wolffgang and Feuerhake[13]) or
- both forces should be combined.

The latter of these approaches, which I call in the book "the institutional approach", embraces many concepts, e.g.:

[10] Wolfgang Plasa, Reconciling International Trade and Labor Protection: Why We Need to Bridge the Gap Between ILO Standards and WTO Rules, Lanham, Boulder, New York, London: Lexington Books 2015, 35, 147.
[11] Bob Hepple, 'The WTO as a Mechanism for Labour Regulation' in Brian Bercusson i Cynthia Estlund (eds.), Regulating Labour in the Wake of Globalisation: New Challenges, New Institutions (Oxford, Portland OR: Hart Publishing 2008).
[12] Brittany Cohan Baclawski, 'Re-Thinking the WTO's Relationship to International Labor Standards: Is It Finally Time for a Global Approach' (2016–2017) 48 Georgetown Journal of International Law 235.
[13] Hans-Michael Wolffgang and Wolfram Feuerhake, 'Core Labour Standards in World Trade Law: The Necessity for Incorporation of Core Labour Standards in the World Trade Organization' (2002) 36(5) Journal of World Trade 883.

- the Agency for Trade and Labour Standards 'ATLAS' jointly governed by the WTO and the ILO (Barry and Reddy[14]);
- joint ILO-GATT/WTO Enforcement Regime based on each international organisation's expertise (Ehrenberg[15]);
- the concept of a global labour and trade framework agreement 'GLTFA' (Addo[16]), according to which the foundation of a multilateral enforcement mechanism would rest on the principle of participation and would be agreed by the ILO's and the WTO's members, and signed by governments, employers' associations and global unions.

Apart from "the institutional approach", I also named and presented "the integrated legislative approach" in the book. It consists in the integration of core labour standards into the WTO through changes to law, e.g. the view according to which the WTO should build on Article XX(e) of GATT by adding a provision that allows countries to sanction the specific sector of a country that has violated core labour standards, if the ILO has determined that there is a violation (e.g. Elliott, Freeman[17]; Plasa[18]).

My analysis has shown clear limitations regarding the trade-labour nexus via the WTO. The Singapore Ministerial Declaration adopted at the first WTO Ministerial Conference on 13 December 1996 clearly reflected the anti-linkage approach. Then, at the Seattle Ministerial in 1999, the Clinton administration proposed to establish a Working Group within the WTO to examine the linkage issue. President Clinton's suggestion that the WTO should use sanctions to enforce core labour rights met with tough criticism. The Singapore Ministerial Declaration was reiterated at the Doha Ministerial Meeting in 2001. Most developing countries stood categorically against the linkage. Moreover, the lack of willingness to employ the scenario of the linkage, including the institutional approach appears to be a problem. The WTO and the ILO seem to be satisfied with the existing collaboration between them, that is, 'participation by the WTO in meetings of ILO bodies, the exchange of documentation and informal cooperation between the ILO and WTO Secretariats'[19]. It is very unlikely that these organisations would be interested in further deepening their cooperation. In addition, the ILO and the WTO regimes differ from one another. The ILO members can freely choose which conventions they commit to whereas the WTO members commit to all agreements or forfeit membership altogether according to the single undertaking principle. Besides, what is extremely troublesome, the ILO and the WTO memberships do not fully overlap.

The next source of doubt arises from the application of trade sanctions. The construction of the WTO implies that in most cases trade sanctions do not constitute a proper safeguard of compliance with labour standards. Generally speaking, international agencies do not sponsor actions that are contrary to their own aims, and the WTO would be doing exactly that by

[14] Christian Barry and Sanjay Reddy, International Trade & Labor Standards: A Proposal for Linkage (New York: Columbia University Press 2008).
[15] Daniel S Ehrenberg, 'From Intention to Action: An ILO-GATT/WTO Enforcement Regime for International Labor Rights' in Lance A Compa and Stephen F Diamond (eds.), Human Rights, Labor Rights, and International Trade (Philadelphia: University of Pennsylvania Press 1996).
[16] Kofi Addo, Core Labour Standards and International Trade: Lessons from the Regional Context (Heidelberg, New York, Dordrecht, London: Springer 2015).
[17] Kimberly A Elliott and Richard B Freeman, Can Labour Standards Improve Under Globalization? (Washington DC: Peterson Institute for International Economics 2003).
[18] Wolfgang Plasa, Reconciling…, op. cit.
[19] https://www.wto.org/english/thewto_e/minist_e/min99_e/english/about_e/18lab_e.htm

applying trade sanctions. In addition, decisions about imposing sanctions for labour rights infringements would be virtually impossible to achieve within the WTO. This is because the WTO normally acts by consensus, effectively giving every Member a veto. This does not coincide with the ILO's system where conventions can be adopted by a two-thirds majority of delegates but should be ratified before they are binding on a member state.

Hepple expressed his doubts on whether WTO-authorised sanctions would be more effective than action under Article 33[20]. However, the author's scepticism is not synonymous with the need to displace the sanctions from the system of transnational labour regulation. Quite the contrary, persuasion and conciliation will not function unless there is ultimately a sanction which can be invoked. Nevertheless, some authors point out that the employment of sanctions may have counterproductive effects. The experience of Bangladesh in 1993 is given as an example. The owners of garment factories in Dhaka dismissed all children below the age of 16 due to the threat of US sanctions under the 1992 Child Labour Deterrence Act. As a result, many of these children ended up as prostitutes and street vendors or in factories and workshops not producing for export. Finally, it has been suggested in the book that nothing would stand in the way to combine positive and negative sanctions basing them on the carrot-and-stick principle[21].

The social clause can have a unilateral source and be included by a state in its national law on foreign trade. **Chapter IV** contains an analysis and comparison of the EU and the US Generalised System of Preferences (GSP) embodying such a clause. Under the so-called GSP scheme, certain products from developing countries may enter free of duties if the exporting country agrees to some conditions, e.g. the need to ensure compliance with certain labour standards. In depth research has shown that the topic related to GSP schemes is particularly important from the point of view of the trade-labour debate given that the opponents of the trade-labour linkage often support the concept of GSP as a means of the improvement of standards. The aim of the fourth chapter was to assess the effectiveness of this unilateral mechanism. In particular, the academic question connected to the impact of the GSP on social development and human rights in the beneficiary countries is the key issue. It is also interesting to what extent the threat of blocking imports or the withdrawal from the scheme can give rise to policy change regarding labour standards. This part of the monograph aims to analyse the legal basis and compare the EU's and the US's GSP labour provisions. I applied critical reasoning and comparative analysis with a view to showing the differences between both countries. I focused my attention on advantages and disadvantages of the GSP schemes – not only those currently in effect in the US and the EU, but also from a historical perspective.

The US GSP programme was authorised under the Trade Act of 1974 and implemented on 1 January 1976. The GSP Renewal Act of 1984 prohibited the president from designating as a GSP privileged trading partner any country that 'has not taken or is not taking steps to afford internationally recognised worker rights' to its own workers. The key point about the scheme is that it gives the US government the possibility of withdrawing custom duties exemptions to imports coming from countries that do not comply with internationally recognised workers' rights. Sometimes such a solution is perceived to have better effectiveness than multilateral social clause. In the historical context, in many cases the only threat of blocking imports to the

[20] Bob Hepple, Labour Laws and Global Trade (Oxford: Hart Publishing 2005) 274.
[21] Positive sanctions would entail rewarding compliance, e.g. with tariff rebates.

US was enough to reform legislation in a country that violated fundamental employment rights. The eventuality of having GSP privileges withdrawn contributed to changing labour laws in many countries, inter alia, Indonesia, Guatemala and El Salvador, the Dominican Republic, Costa Rica, India, Pakistan or Sri Lanka. Moreover, GSP supporters point out its considerable influence on the US labour movement. My findings indicate that long before NAFTA the GSP helped to increase the labour movement's awareness of international issues. Furthermore, the GSP labour rights review process is appreciated for its contribution to broader information and precious experience on monitoring labour rights infringements and enforcement of labour laws for all over the world. Supporters also claim that this knowledge has, then, had a great positive effect on research, on issues connected to social labelling programmes, corporate codes of conduct, and many other forms of international standard setting, monitoring and enforcement of labour regulation. Finally, they put emphasis on the fact that the GSP review mechanism has given rise to, inter alia, a number of lobbying groups, a global network of unions, human rights organisations, labour think tanks, NGOs and development agencies. In this way, the scope of international labour solidarity was augmented through GSP petitions.

In the book I presented some remarks concerning imperfections of the US GSP, including its effectiveness. The first doubts appear on the background of the formulation: 'has not taken or is not taking steps to afford internationally recognised worker rights'. There are some ambiguities in this formulation, especially vague expressions, that is, 'taking steps', 'afford' or unclear criteria for withdrawal of GSP benefits. Moreover, it would seem more reasonable to use the terminology developed by the ILO. The category of 'international labour standards' or 'labour rights' could be adopted with the aim of giving substance to the currently existing vague expressions. Unfortunately, the US legislation effectively guards against any reference to the ILO standards.

Furthermore, it should be noted that strong political interference has always been a characteristic of the administration of the US GSP scheme. It can be concluded that it is to a large degree political mainly because of three reasons. First, GSP beneficiary countries become ineligible for the programme after reaching a certain level of wealth. Second, GSP is characterised by the fact that it is non-reciprocal. It means that beneficiary countries do not grant preferential market access to rich countries. Third, as conditionality is inscribed in the GSP, a violation of workers' rights can mean discretionary or even mandatory suspension from the GSP programme.

A matter of enforcement of the labour rights eligibility criteria is another problem. The US GSP critics pay attention to undermining its effectiveness and credibility due to the fact that countries in which labour rights violations occur have been provided privileged access to US markets, and have gained an unfair advantage over other countries, not excluding the US.

In the case of the EU, the GSP has been applied since 1971 and has entailed lower tariffs to developing countries on some or all the EU imports from them. Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a Scheme of Generalised Tariff Preferences and repealing Council Regulation (EC) No 732/2008 is now in force and the Treaty on the European Union (TEU) and the Treaty of the Functioning of the European Union (TFEU) are the legal basis for the current system. It entered into force on 1 January 2014 (for a period of ten years) and consists of three arrangements:

1 A general arrangement (Standard GSP) for developing countries that have not achieved high or upper middle-income status;

2 A special incentive arrangement for sustainable development and good governance (GSP+) for Standard GSP beneficiaries that are also considered vulnerable; and

3 A special arrangement for the least developed countries (LDCs) (Everything But Arms [EBA]).

In the appraisal of the EU GSP, we should remember that it defines the level of aspiration of the EU as regards conventions that should be ratified and implemented by future Free Trade Agreement (FTA) partners. These provisions mirror the EU hopes to be achieved in the long run. In other words, the GSP is perceived as a 'preliminary step', while the conclusion of FTA is the objective – a step forward as a result of the negotiation process.

An overall positive impact of the GSP on social development and human rights in the beneficiary countries is noticeable. The most recent version of GSP has contributed to the promotion of sustainable development and good governance, especially thanks to the EU's enhanced monitoring of the implementation of the international conventions relating to GSP+. Clear examples are given to illustrate these observations. First, the Commission and the High Representative have increased their involvement with certain EBA beneficiary countries with the aim of contributing to EU efforts to ensure respect of fundamental human and labour rights. Second, GSP has exerted a profound positive influence on the role of women in society. For instance, in the textile and clothing sectors (in Bangladesh and Pakistan) this could have been achieved by creating employment opportunities for women and by improving participation of women in the labour force in export industries trading with the EU. Third, it has been demonstrated that the EU's leverage in countries that benefit from GSP+ has been increased due to the close monitoring of them. More specifically, this refers to the power of pushing these countries towards the effective implementation of the 27 relevant international conventions. Besides, it has created the opportunities for truly constructive dialogue and has enabled the EU to engage with beneficiary countries on all areas which are marked by poor and ineffective implementation[22].

The evidence from research strongly indicates that, similar to the US, there are some disadvantages of the EU GSP. Its labour clauses may entail a danger of having double standard practices as they are developed and applied unilaterally. A country which has introduced a GSP labour clause is the only decision-maker on which country and when would be subject to a GSP investigation and may eventually be excluded from trade benefits. Thus, unequal treatment is used in comparable circumstances. We are dealing here with a dichotomy between norms and interests, which means that in determining whether to enforce norms, the EU is motivated by its own interest. In fact, many observers claim that the EU uses the GSP scheme discretionally and instrumentally with the purpose of pursuing foreign policy goals rather than for safeguarding labour rights.

Moreover, ineffective conditionality of GSP programmes meets with considerable criticism. The EU's GSP labour provisions has already been used in Myanmar's case (withdrawal from the whole scheme). It was deprived of trade privileges because of the

[22] Report from the Commission to the European Parliament and the Council on the Application of Regulation (EU) No 978/2012 applying a Scheme of Generalised Tariff Preferences and repealing Council Regulation (EC) No 732/2008.

widespread use of forced labour by the government. A similar method was deployed in case of trade union rights infringements in Belarus. However, as a result of studies carried out I can state that this did not give rise to any significant policy change regarding labour standards. Benefits have been also withdrawn in 2010 against Sri Lanka (withdrawal from GSP+), which failed to implement human rights conventions. Of course, there have been many more occasions to suspend GSP preferences, for example, decision-makers have debated such a step in regard to China, Russia, Pakistan and India. However, it has never materialised. The rare enforcement of conditionality provisions has become an impulse for further criticism, which is focused on imbalance between positive and negative conditionality (the former used widely, and the latter only to a minor extent).

The analysis of the characteristics of the US and the EU schemes has revealed some important differences between them. The issue which should be at the forefront of the discussion is connected to their motivation. The operation of the US GSP scheme, relying much on a sanction-based strategy, is often referred to as 'aggressive unilateralism' and is in contrast to the EU approach called 'soft unilateralism'. The latter is mainly motivated by the will to ensure that poor countries have preferential access to the EU market. The linking of trade liberalisation with, inter alia, protection of workers' rights plays an important role in the whole concept. Clearly, even if protectionism is not the central part of the EU's approach, economic calculations are also taken into consideration. My findings demonstrate that this is explicitly reflected in the provisions related to general safeguards common to all arrangements.

The EU's GSP scheme has been applied since 1971 and has been governed by a number of regulations. By way of comparison, the US GSP programme was implemented in 1976, and must be periodically renewed by the Congress. What is important, only the US GSP programme is designed to give organisations the possibility to file petitions with the office of the USTR in the framework of the GSP petition process. Thus, organisations can ask the US government to verify the state of compliance with labour rights in a given country in order to decide about the possibility of the suspension of its GSP privileges. In the case of the EU, it is possible for stakeholders to give information which can only be added to the List of Issues.

Making further comparisons, it is important that the US GSP legislation has adopted the concept of 'internationally recognised worker rights', and the EU GSP scheme has adopted the ILO core labour standards. The first four 'internationally recognised worker rights' practically coincide with those of the ILO Declaration of 1998. However, it should be noted that the elimination of discrimination in employment and occupation, which is present in the ILO Declaration, has not been included in the US law. On the other hand, the US has included acceptable conditions of work with respect to wages, hours of work and occupational health and safety. It can be interpreted softly as 'a difference in emphasis', or more acutely as 'an indication of the contestation that surrounds the specifics of labour rights'. It finds confirmation in the fact that the US withdrew from the ILO in November 1977 because of selective concerns for human rights, the erosion of tripartitism, disregard of due process and because the ILO was becoming too 'politicised', and allowing political campaigning against the US and Western nations generally. It must also be observed here that the EU requires developing countries to comply only with conventions which have been ratified by EU member states. Obviously, in the case of the US the situation is quite different. The US has ratified only 14 of 190 ILO Conventions including only two of the ILO's core labour standards – Convention No. 105 (on forced labour) and Convention No. 182 (on the worst forms of child labour). Conventions

concerning wages, hours of work or occupational safety and health (except Convention No. 176 on safety and health in mines) have not been ratified. The US and the EU also differ also in their approaches with regard to the functioning of the monitoring system. The EU GSP scheme, in contrast to the US, has introduced in its system a clear link between the EU monitoring procedure and the 'case law' of the ILO's and the UN's monitoring bodies. Besides, refusal or withdrawal of preferences must be preceded, in the case of the EU, by transparent and fair procedures. It has also been demonstrated that due to the EU's enhanced monitoring of the implementation of the international conventions relating to GSP+, the most recent version of GSP has contributed to the promotion of sustainable development and good governance.

Taking into consideration, inter alia, the use of aggressive unilateralism, the term 'internationally recognised worker rights', the monitoring system functioning, the approach towards ratification of ILO's core labour conventions or the desirable effectiveness, it seems clear that the EU system pretends to be far better organised.

Chapter V is entitled "The US's and the EU's international trade agreements". The global financial crisis, which erupted in 2008, was one of the causes of the rise in the number of international trade agreements. More than a decade later, as the world experiences the COVID-19 pandemic, I tried to answer the question in the book about the potential of these instruments in offsetting the effects of the crisis. If trade agreements should constitute a solution for workers, labour provisions included in them have to effectively protect workers' rights. According to ILO research, trade liberalisation can boost economic growth and increase employment opportunities in both developing and developed countries. There is already now some evidence of the positive impact of labour provisions in trade agreements on labour market access (e.g. for working age women) and on the narrowing of the gender wage gap. Importantly, it has been proved that labour provisions in trade agreements do not divert or decrease trade flows.

According to the ILO[23], labour provisions in trade agreements have proliferated over the last two decades – from only four in 1995, the number of trade agreements that include labour provisions increased to 21 in 2005, 58 in June 2013, 77 in 2016 and 85 in 2019. Thus, the share of trade agreements including labour provisions has increased from 7.3% of the total number of trade agreements in 1995 to 28.8% in 2016 and 29% in 2019. In total, 72% of labour provisions in trade agreements make reference to ILO instruments. The question is how to increase their positive impact and make them guarantee effective enforcement of labour rights.

To conduct research on this subject, it was necessary to establish that the US's and the EU's approaches to labour provisions in trade agreements show some significant differences. The US model involves FTAs that use a conditional approach. This amounts to the fact that FTAs contain labour provisions that make the conclusion of a trade agreement conditional upon respect for particular labour standards (pre-ratification conditionality) and/or provisions in the concluded trade agreements that authorise sanctions if labour standards are infringed (post-ratification conditionality). The EU model involves a promotional approach. It means that labour provisions included in FTAs 'do not link compliance to economic consequences but

[23] ILO, Handbook on Assessment of Labour Provisions in Trade and Investment Agreements (Geneva: ILO 2017) 11; ILO, Social Dimensions of Free Trade Agreements: Studies on Growth with Equity (Geneva: ILO 2013) 5.

provide a framework for dialogue, cooperation, and/or monitoring'. The divergence in the approach to the ratification of the ILO conventions has already been explained above.

The aim of the comparative research was to present the functioning of the model of trade agreements concluded by the US and the EU. For this purpose, the North American Free Trade Agreement (NAFTA) was first discussed. It was concluded between the US, Canada and Mexico, signed in August 1992, the US Congress approved it in November 1993 and it finally came into effect in 1994. From the point of view of labour law, its side agreement concerning labour - the North American Agreement on Labor Cooperation (NAALC) - is most interesting. It was signed in August 1993 and includes labour principles, six obligations, an organisational structure and a complaint mechanism for reviewing compliance. The three signatory countries commit themselves to 'promoting' these principles, indicating at the same time that they 'do not establish common minimum standards for their domestic law', which is one of the main characteristics of the NAALC.

The cross-border complaint system means nothing else than that human rights groups, trade unions and other civil society groups have to cooperate with the aim of finding new ways of communication, collaboration and solidarity. This mechanism is triggered by advocates in the country where violations took place, who join with their counterparts in the country where the complaint was lodged. The complaint goes to the labour department, which performs an initial review. There are then three steps to be taken in the framework of the complaint mechanism. They include:

1 consultations between National Administrative Officers (NAOs) or government ministers, and 'cooperation' steps taken with the aim of addressing problems;
2 a committee of independent experts' evaluation and recommendations;
3 dispute resolution – a remedial plan, and trade sanctions, which depend on decisions of an arbitral panel.

Only three of the aforementioned 'Labor Principles' (namely child labour, minimum wage standards, and workplace health and safety) are susceptible to dispute resolution. If a government fails to adopt an action plan recommended by an arbitral panel after the panel finds a persistent pattern of failure to effectively enforce its laws related to one of these three principles, a fine of up to 0.007% of the volume of trade between two disputing countries can be imposed. It means that the NAALC is the first international labour agreement which provides for the possibility of imposing trade sanctions as a means of enforcing labour rights. However, none of the complaints lodged by civil society advocates ever moved beyond the 'first cut' review phase and the consultation step, no evaluation committee of experts was ever established, and no arbitral panel ever took up a case. Hence, this enforcement mechanism is neither regarded as having the potential for ensuring the states' compliance with domestic standards, nor as preventing a 'race to the bottom' of labour standards.

Only some of the actions achieved high visibility. One of the most vivid examples is a complaint alleging sex discrimination in export-processing 'maquiladora' factories, which was filed in 1997 with the National Administrative Office of the United States (NAO) by Human Rights Watch and the International Labor Rights Forum, together with the Mexican National Association of Democratic Lawyers (Asociación Nacional de Abogados Democráticos, ANAD). The complaint alleged that pregnancy tests of all female job candidates were required,

and pregnant women were denied employment. The submission also highlighted that such practices were tolerated by the state. The US labour department accepted the case and public hearings were organised. There was much ado in the media about the case. This contributed to the Mexican federal government's ban on pregnancy testing in the case of women applying for employment in federal ministries. Besides, many of the US companies stopped such testing in their factories. Subsequent studies, however, indicated that these practices were not completely eliminated.

Concerns about NAFTA labour provisions were often raised in the context of worker's rights in Mexico. Not only 'maquiladora' factories are problematic in this country. Unfortunately, ghost unions or protection contracts (contractual agreements between corrupt unions and employers) are also a characteristic feature of its labour relations that has increased rapidly since economic liberalisation in the 1980s and has been even more intense since NAFTA. These contracts equip employers with an absolute authority over the determination of wages and other working conditions. In 2020, minimum wage workers in Mexico earn around $6.50 per day. Even if a great increase is clearly visible, Mexico's daily minimum wage is still around half of the hourly minimum wage in Arizona and California. It was crucial under new negotiations that decision-makers put pressure on labour agreements that raise wages in Mexico and strengthen protection of labour rights not only in Mexico but also in Canada and the US. On 30 September 2018, the US, Canada and Mexico announced they had reached a trilateral free trade agreement in the renegotiation of the NAFTA, concluding more than 13 months of negotiations. USTR Robert Lighthizer has called the USMCA 'the gold standard by which all future trade agreements will be judged, and citizens of all three countries will benefit for years to come'. The USMCA has been ratified by all three countries and has taken effect as of 1 July 2020.

In the monograph, I argue that the USMCA could serve as a model when concluding new trade agreements because its innovative provisions are indeed of great promise. In comparison to the NAALC, the USMCA uses more far-reaching language. The Parties shall now 'adopt and maintain' in their 'statutes and regulations, and practices thereunder, the . . . rights, as stated in the ILO Declaration on Rights at Work'. The same formulations ('adopt and maintain statutes and regulations, and practices thereunder') is used in reference to 'acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health'. Footnote 1 adds the 'greater certainty' clause, namely, it states that for greater certainty a Party's labour laws regarding 'acceptable conditions of work with respect to minimum wages' include requirements under that Party's labour laws to provide wage-related benefit payments to, or on behalf of, workers, such as those for profit sharing, bonuses, retirement and healthcare.

It is worth noting that any previous trade agreement has ever provided for such a precise provision, according to which 'for greater certainty, the right to strike is linked to the right to freedom of association, which cannot be realized without protecting the right to strike' (footnote 6). The Parties clearly affirm the right to strike and suggest that it has always been their view that any reference to freedom of association in trade agreements implicitly included the right to strike.

The USMCA introduces four completely new provisions important for employees related to:

- elimination of all forms of forced or compulsory labour (including child labour) (e.g. it has been indicated that the parties prohibit the importation of goods into its territory from other sources produced in whole or in part by forced or compulsory labour, including forced or compulsory child labour);

- freedom from violence against workers (dispute settlement - presumption that lack of effective regulation to eliminate violence against workers affects trade);

- protection of migrant workers (each party is obliged to ensure that migrant workers are protected under its labour laws, whether they are nationals or non-nationals of the party);

- the principle of non-discrimination in employment and occupation.

When assessing the USMCA, it should be also appreciated that 'in a dispute arising under Chapter 23 (Labor), panelists other than the chair shall have expertise or experience in labor law or practice' (Article 31.8 of Chapter 31 on dispute settlement). Consider that the panel comprises five members (ius dispositivum; Article 31.9 of Chapter 31 on dispute settlement), it follows from the new provision that four of them shall have expertise or experience in labour law or practice. This should be viewed as a major advance with respect to the US–Guatemala case, in which the majority of panellists were trade law practitioners with no expertise or experience in labour law or practice.

There are several other important provisions in the USMCA that strongly influence the situation of workers. These include the following: Annex 23-A entitled 'Worker Representation in Collective Bargaining in Mexico' (Chapter 23 'Labor'); Annex 31-A 'Facility-specific rapid response labor mechanism' (Chapter 31 'Dispute Settlement'43); and a new 'Labor Value Content' provision (Chapter 4 'Rules of Origin').

According to the new Annex 23-A, 'Mexico shall adopt and maintain the measures. . ., which are necessary for the effective recognition of the right to collective bargaining'. It is worth noting that in order to achieve compliance with the Annex 23-A, Mexico has introduced a serious labour law reform and on 23 November 2018 ratified the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)[24].

One of the crucial characteristics of the USMCA is a facility-specific rapid response labour mechanism, which purpose is to ensure remediation of a 'Denial of Rights' of free association and collective bargaining for workers at a Covered Facility in Mexico or the US, and to ensure that remedies are lifted immediately once a Denial of Rights is remediated. Annex 31-A creates very strong labour rights monitoring and enforcement mechanism. It allows the complainant Party to request the formation of a 'Rapid Response Labor Panel' (the 'panel'). Its competences include conducting on-site verifications at the facility in question (if the respondent Party agrees to the verification). Based on the findings of the panel, the complainant Party may impose remedies that are the most appropriate to remedy the Denial of Rights. Remedies may include suspension of preferential tariff treatment for goods manufactured at the Covered Facility or the imposition of penalties on goods manufactured at or services provided by the Covered Facility. When comparing the mechanism concerned with previous trade agreements, a novel pattern emerges, which consists of on-site verifications at a given facility.

[24] Mexico and Canada have already ratified all ILO core conventions.

In comparison, labour law clauses included in trade agreements to date provided an opportunity to address the failure of a government to ensure effective enforcement of labour laws.

The USMCA also tries to correct the great wage differential between Mexico on the one hand, and the US and Canada on the other hand. Article 7 (Chapter 4) requires the vehicle producer to certify that its production meets a 'Labor Value Content' requirement, which means 30 to 40% of vehicle value being produced by workers earning wages of at least US$16.00 per hour. In addition, it is required that certain automobile elements be produced in the region (at least 75% of auto content must be produced by the parties), as must 70% of all steel and aluminium content. As it seems, these provisions are established with the aim of increasing production in North America, at the same time reducing it in other supply chains, especially in Asia.

What is extremely characteristic is that Title VII 'Labor Monitoring and Enforcement' of the USMCA Implementation Act of 2020 required the US President to establish 'the Interagency Labor Committee for Monitoring and Enforcement' within 90 days of the enactment of the USMCA Implementation Act, to coordinate US efforts with respect to each USMCA country:

- to monitor the implementation and maintenance of the labour obligations;
- to monitor the implementation and maintenance of Mexico's labour reform; and
- to request enforcement actions with respect to a USMCA country that is not in compliance with such labour obligations.

If the Interagency Labour Committee for Monitoring and Enforcement receives a petition requesting an enforcement action under Annex 31-A, it shall determine whether there is sufficient, credible evidence of a Denial of Rights enabling the good-faith invocation of enforcement mechanisms under Annex 31-A.

The conducted research proves that there are four generations of EU international trade agreements that contain obligations to comply with labour standards.

The first generation of EU trade agreements, referring to labour especially in the context of migrant workers, and concluded between 1995 and 2002, embraces the following: the Euro-Med (Euro-Mediterranean Association Agreements) concluded by the EU with Tunisia, Morocco, Israel and the EU-Med (Euro-Mediterranean Cooperation Agreements) with Algeria, Egypt, Jordan and Lebanon. The Barcelona Declaration of November 1995 (a non-binding instrument) constituted the ground for the conclusion of these agreements. However, binding provisions were introduced in individual binding ratified agreements. For example, the agreements with Morocco, Algeria and Tunisia are very similar to each other. They all establish the prohibition of discrimination on the grounds of nationality as regards working conditions, remuneration and dismissal, and they also include social security issues. Moreover, they give priority to reducing migratory pressure by improving living conditions, creating new job opportunities and developing training in those countries from which immigrants originated.

Respect for basic social rights through the promotion of cooperative activities related to international labour standards, also appear in the 1999 Trade, Development and Cooperation Agreement (TDCA) with South Africa, which represents a second generation of trade agreements. However, explicit commitments to labour standards have been included in the 2000

Cotonou Partnership Agreement with the African, Caribbean and Pacific states[25]. The important status attained by the Cotonou Agreement is due to the fact that both the EU and the African, Caribbean and Pacific countries have equally committed themselves to respect core labour standards and to enhance cooperation in this area.

Concluded in 2008, the economic partnership agreement between the EU and the Forum of Caribbean Group of African, Caribbean and Pacific States (the EU-Cariforum EPA) is treated as a third-generation agreement, and as a special category of agreements because of its different rationale, which goes beyond traditional free trade agreements. This EPA is the first in which the parties reaffirm their commitment to core labour standards, as defined by the relevant ILO Conventions[26]. Besides, the EU-Cariforum EPA includes labour provisions relating to foreign investors in the investment chapter. It is also the only EU agreement that submits labour provisions to sanction-based arbitral dispute settlement and establishes the first ad hoc dispute settlement mechanism for labour provisions in an EU trade agreement.

The EU–South Korea FTA (signed in 2010, provisionally applied from 2011, entered into force in 2015) has given rise to the EU's current (fourth) generation of trade agreements. It is not in dispute that the main characteristic of the fourth generation of trade agreements is that they contain a 'trade and sustainable development' chapter which aims at integrating labour provisions into them. The EU–South Korea FTA highlights 'respecting, promoting and realising, in their laws and practices, the principles concerning the fundamental rights', 'the commitment to effectively implementing the ILO Conventions that Korea and the Member States of the EU have ratified respectively', and making 'continued and sustained efforts towards ratifying the fundamental ILO Conventions as well as the other Conventions that are classified as "up-to-date" by the ILO'. When it comes to institutional structures, the 'trade and sustainable development' chapters establish the Committee on Trade and Sustainable Development. For example, such a Committee has been created under the agreement with Korea in order to monitor implementation of the trade and sustainable development chapter. Besides, according to the EU–Korea FTA, the parties are required to 'establish a Domestic Advisory Group(s) on sustainable development (environment and labour) with the task of advising on the implementation of this Chapter', and with the aim of making national and EU civil society actors participate in its structure. If there is a dispute that the parties are not able to resolve themselves, they can involve a Panel of Independent Experts, the conclusions of which are, however, non-binding. Furthermore, there is no provision for sanctions. One party cannot bring an action that would result in the suspension of trade preferences against the other party. It is stated in the literature that there is some evidence suggesting that the combination of weak domestic advisory groups, a trade and sustainable development chapter that lacks any mechanism to arbitrate disputes or impose penalties, and the absence of political will on the

[25] "The Parties reaffirm their commitment to the internationally recognised core labour standards, as defined by the relevant International Labour Organisation (ILO) Conventions".

[26] "The Parties reaffirm their commitment to the internationally recognised core labour standards, as defined by the relevant ILO Conventions, and in particular the freedom of association and the right to collective bargaining, the abolition of forced labour, the elimination of the worst forms of child labour and nondiscrimination in respect to employment. The Parties also reaffirm their obligations as members of the ILO and their commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998)".

part of the EU means that the EU–South Korea FTA does not provide a particularly effective mechanism for resolving labour disputes[27].

Similar critical conclusions regarding the promotional approach derived in this part of the monograph concern the Comprehensive Economic and Trade Agreement (CETA) with Canada, and the EU and Japan's Economic Partnership Agreement which also represent the fourth generation of trade agreements. In addition, in the case of the agreement with Japan, I carefully examined the reasons why the country has only ratified six out of eight ILO core labour conventions and why this agreement places more emphasis on the implementation of ILO conventions that have already been ratified than on the ratification of the remaining ones. While such state of affairs in regard to the Convention concerning Discrimination in Respect of Employment and Occupation seems to be related to cultural backgrounds, the situation connected with the Abolition of Forced Labour Convention is quite different and is connected with the issues of wartime industrial forced labour and sexual slavery (so-called 'comfort women') during the Second World War, namely non-payment of compensation to former victims of forced labour.

The COVID-19 pandemic has triggered a profound recession on a worldwide scale. International trade agreements seem to be a useful tool to help pave the way out of the crisis. The USMCA can be perceived as a new model agreement and a symbol of a shift in perspective from long global supply chains to a focus on regional ones, local production, jobs and a rise in wages. 'The gold standard' has taken a step forward as it comes to negotiating trade agreements. In the era of COVID-19, when unemployment is skyrocketing, the USMCA's quick implementation can be a chance to alleviate economic depression and create a framework for generating economic growth – even by introducing a requirement that at least 75% of a vehicle's content, as well as 70% of the steel used for its production must come from the contracting parties. It is believed that the USMCA would speed up the post-COVID-19 recovery and – in combination with reshoring jobs from China – would maintain the trajectory of job growth. Obviously, it would not be wise to expect immediate effects and one should remember that the USMCA's provisions cannot be just blindly and uncritically copied into another trade agreement because it may simply bring unexpected results. Instead, when taking into account a 'copying' method, one shall first assess all contextual differences.

The question about the other agreements naturally arises, in particular those concluded by the EU. Considering them very useful in the process of mitigating the effects of the crisis, one should wonder how to change them and make them guarantee effective enforcement of labour rights. The point here is to concentrate on the ways, in which labour provisions may be strengthened to better promote ILO fundamental labour rights. We should not simply assume that lofty phrases (e.g. the Parties 'reaffirm their obligations deriving from' the ILO membership or 'The Parties further reaffirm their respective commitments with regard to the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up') translate easily into policies with teeth. I entertain considerable doubts whether soft formulations of a promotional nature (eg. 'strive to ensure'; 'strive to continue to improve'; 'make continued and sustained efforts on its own initiative to pursue ratification') have the potential to ensure effective enforcement of labour standards. There is little doubt that the EU should have pushed

[27] Liam Campling, James Harrison, Ben Richardson and Adrian Smith, 'Can Labour Provisions Work Beyond the Border? Evaluating the Effects of EU Free Trade Agreements' (2016) 155(3) International Labour Review 357, 370–371.

more on stronger provisions in the trade and sustainable development chapters. It is clear that language in these chapters should have been stronger, and a more decisive tone should have been used (but there is a lack of political will).

I do not think that different approaches to labour standards in the US and the EU can be upheld. On the one hand, the EU should include in its FTAs labour provisions that make the conclusion of a trade agreement conditional upon respect for particular labour standards and/or provisions that authorise sanctions if labour standards are infringed (pre-ratification and/or post-ratification conditionality). On the other hand, following the EU framework, the US's model should obligate the US to comply with the Declaration and the ILO's core labour standards. Moreover, the ratification of core labour conventions should be mandatory.

The results of the research indicate that it is correct to support combining cooperation (e.g. in the form of technical assistance or funding) with binding enforcement and monitoring (e.g. by the partner countries, civil society or organisations such as the ILO). What the parties to the FTAs should do is to embrace a clear unitary dispute settlement and enforcement mechanism, which would allow them to bring a claim. On the other hand, the involvement of civil society is perceived as already existing infrastructure to promote agency, dialogue and participation within trade agreements. The US–Guatemala CAFTA labour arbitration ruling of 2017 is a perfect example of this. In fact, during the dispute, many NGOs submitted amicus briefs. Making better use of the already existing mechanism could significantly reinforce the trade-labour linkage.

One of the ways in which social concerns can be expressed is also the possibility of including labour standards in the entire spectrum of private norms. The aim of **chapter VI** entitled ”Private standard-setting: The impact of CSR instruments on labour rights” is to assess to what extent self-regulation within the corporate social responsibility (CSR) framework contributes to improving workers' rights worldwide. The first part of the chapter focuses on the corporate codes of conduct. The purpose of this part is to assess, through the prism of three generations of codes, if self-regulation is sufficient to ensure the effective enforcement of labour rights. I fill the gap in existing research by providing a comprehensive explanation for the shortcomings of this instrument. The chapter also aims at analysing ways in which codes could be transformed to more effectively address workers' rights.

Before I move on to the codes' shortcomings, I should emphasise that according to research results codes exert also some positive impact on the workers' situation. Private codes of conduct that implement global labour standards accomplish an important objective consisting of the reinforcement of the norms promoted by the ILO and the provision of a source of enforcement pressure that the ILO lacks. Some authors write about the ‘quite positive results’ of codes of conduct, especially in developing countries. During the period between the 2000s and the early 2010s, many impact assessment studies revealed that codes of conduct improved tangible work conditions, for example, the reduction of overtime work, the payment of minimum wages, and occupational health and safety. Research has proved that codes of conduct are able to eliminate the worst abuses, such as e.g. child labour or corporal punishments.

The shortcomings of the codes are analysed in the context of their three generations. The first wave of codes of conduct appeared in the 1970s, when the number of reports concerning unethical or illegal activities of multinational corporations increased and led to discussions within international organisations. Codes of conduct classified as falling under the

first generation differ between companies and across industries. There is little uniformity in their content. Many of such tools use vague language, and for some rights are limited to asking for compliance with the supplier countries' domestic laws. Codes of conduct often lack clear language on the freedom of association and wages and make a 'renvoi' to domestic law. Their underlying values are perceived as obscure. Codes of conduct mainly address marketing aims and respond to unfavourable publicity produced by the media. They are seen as a measure of propaganda and a means of improvement of an MNC's reputation, corporate legitimacy, trust, image or brand. Research indicates that there is a lack of involvement of social partners in the decision-making process leading to the adoption of codes of conduct. Once adopted, they impose lower standards than the public regulatory frameworks. They are more selective in their choice of labour rights.

The second wave of codes appeared in the early 1990s and concentrated its attention on labour conditions. Advocates focused less on code adoption and more on compliance verification. However, research has shown that there were (and still are) also many difficulties in implementing, monitoring and enforcing a corporate code of conduct (including gaming the monitoring system).

The UN Global Compact (2000) named in the literature as a 'Model Code', includes references to freedom of association and the right to collective bargaining, and 'symbolises the evolution of the "international human rights regime" to incorporate what is described as the "third generation". However, it was proved that codes of conduct have limited impact on less tangible issues, such as freedom of association and the right to collective bargaining. This leads to the conclusion that there is no substitute for effective government enforcement of national labour laws when it comes to freedom of association and the right to collective bargaining.

It is worth recalling some viewpoints articulated in the literature, on how codes of conduct could be transformed to more effectively address workers' rights. For example, Herman argues that a more practical approach to improving workers' labour conditions should be found and introduced in the new generation of codes of conduct. To this end, a better understanding of the role for different organisations (especially local NGOs that should be given a top priority role in monitoring) and of business strategies and the economic motivations of suppliers and MNCs should be adopted. Besides, such an attitude requires a thorough rethinking the types of labour standards that can effectively be improved through codes of conduct. According to the author, adopting a narrower point of view and concentrating on a single 'linchpin' labour condition, that is, a sufficient hourly wage, would better align supplier codes with the objective of improving the labour conditions of supplier workers[28].

Even more interesting concept proposed by García-Muñoz Alhambra et al. is a transnational labour inspectorate system, that is, a bow in the direction of publicly based monitoring, complementary to national labour inspectorates. Its premises are featured in the voluntary participation of the MNC (however, after the submission of the application, the rules of monitoring would be entirely binding) and a public root which upholds the independence of the monitoring system. According to this concept, the ILO should provide or control, supervise and/or coordinate the monitoring system, and would be responsible for providing a list of transnational labour inspectors who have been trained and accredited by the Organization. The

[28] Andrew Herman, 'Reassessing the Role of Supplier Codes of Conduct: Closing the Gap Between Aspirations and Reality' (2012) 52(2) Virginia Journal of International Law 471, 481.

ILO should establish a special protocol introducing the basic rules and requirements for monitoring, with the aim of ensuring its independence and quality[29].

Considering how to improve the effectiveness of codes, it seems that the role of NGOs cannot be underestimated. NGOs, indeed, engage in detecting infringements, enforcement practices, lobbying for better standards, representing workers and auditing labour conditions in supplier plants. The Worker Rights Consortium is one of the most active of these NGOs. It participated in activities for improving labour conditions at Foxconn, at apparel factories in Bangladesh and at Nike. Research, however, leads to the conclusion that - when publicising their 'successes' - NGOs should take the necessary measures to overcome the concerns relating to the conflict of interests between monitors and the supplier's workers (MNCs benefit from poor labour conditions, so monitoring to detect their own irregularities constitutes an obvious conflict of interest). Moreover, the idea of publicly rooted monitors (e.g. transnational labour inspectors according to García-Muñoz Alhambra et al.) also seems interesting. Upon such a foundation, a system that would enable employees to report violations of labour rights could be subsequently developed. Independent international 'observers' could promptly react and more effectively put pressure on corporations highlighting that the situation can result in the increased public awareness of infringements as a consequence of media coverage. Additionally, it is worth noting that periodic training and testing programmes to ensure employee knowledge and comprehension of codes of conduct could be a good idea, especially when employees have little understanding of the concept of rights.

The second part of the chapter relates to transnational company agreements, NGOs' social accountability standards, International Organization for Standardization (ISO) standards, the Dow Jones Sustainability Index, and the Global Reporting Initiative, each of which has been critically analysed from the point of view of labour law.

After the conducted research, it can be concluded that CSR norms are developed beyond the power of the state, cannot be enforced through the court processes and are adopted voluntarily within the private sector, often with the aim of enhancing a company's reputation or getting access to significant investment capital. All this may be perceived as evidence of the limited impact of CSR instruments on labour rights. Within the rich spectrum of CSR instruments that has been discussed, transnational company agreements seem to be attractive mainly because of the benefits of social dialogue and the involvement of trade unions and workers in their drafting, monitoring and implementing. These tools are considered as means of promoting industrial peace. However, their legal nature remains necessary to clarify. There is no legal framework under which transnational company agreements are created, and thus the legal nature of such a norm as transnational company agreement is conditional upon the powers granted by law to MNCs and trade unions. Moreover, the self-reporting method inscribed in the nature of CSR instruments (e.g. the DJSI) gives only the illusion of impeccable MNCs' operation. Last but not least, sometimes conflicts over labour standards arise between public and private organisations. It would be difficult not to mention a dispute that arose between the ILO and the ISO, mainly over the ISO 45001 standard. In conclusion, CSR tools can be

[29] Antonio M García-Muñoz Alhambra, Beryl Ter Haar and Attila Kun, 'Independent Monitoring of Private Transnational Regulation of Labour Standards: A Proposal for a "Transnational Labour Inspectorate" System' in Edoardo Ales and Iacopo Senatori (eds), The Transnational Dimension of Labour Relations: A New Order in the Making? Atti dell'XI Convegno internazionale in ricordo di Marco Biagi (Turin: G. Giappichelli Editore 2013) 275–277.

perceived only as additional value to law, and – as such – can be further developed, mainly because they have a potential to encourage MNCs to raise standards (e.g. to obtain certification in the case of SA8000), to exert a positive impact on the workers' situation (e.g. codes of conduct), and to unite different stakeholders in carrying out one purpose, that is, promoting labour rights.

Chapter VII of the monograph includes general conclusions drawn from the considerations contained therein and detailed conclusions concerning individual chapters. I indicate, inter alia, that back in 1992, when Francis Fukuyama published his famous book entitled "The End of History and the Last Man", the Western world believed in such a scenario, as indicated by the first part of this title. Free trade was to be the path to one global system of rules, happiness and prosperity. However, the times we live in prove something else. It seems that a reorganisation of the world order is inevitable in the face of a current fundamental crisis of trust in the principles of global trade and labour governance systems.

The example of China, which was admitted to the WTO on 11 December 2001, shows how much that country has made use of globalisation. Millions of cheap hands to work have appeared in that system and the large corporations, not infrequently American ones, have made big profits. At the same time, it was believed that China would be transformed into a liberal democracy and would respect human rights, but those hopes have proved to be illusory. China has never intended to resign from its communist regime but has intended to derive an advantage from a mass influx of technology and knowledge that has allowed it to make tremendous technological progress. China has been rising and the rest of the world has tolerated its totalitarian system for decades.

The book recalls that one of the primary goals of the creation of the ILO was to ensure fair competitive conditions in international trade. International labour standards were meant, inter alia, to equalise production costs in the member states, thus preventing an unfair competition manifesting itself in the lowering of wages and the deteriorating working conditions. The Chinese example shows that the original goals of the organisation have nothing to do with reality. Moreover, a long-standing protective umbrella over China has allowed for wiping out competition from the other countries through subsidies, among other things. Therefore, not only workers' rights have been violated, but also the WTO rules.

Considering the trend towards regionalisation and the WTO crisis, it seems appropriate to advocate for international trade agreements, bilateral or plurilateral, believing that they would be the best guarantee for improving the situation of workers across the world. The findings presented indicate that a significant increase in free trade agreements has been observed since the crisis of 2008. Undoubtedly, one should not be indifferent to the role they can play in alleviating the consequences of the current recession, especially since the impact of coronavirus on millions of workers is devastating.

The considerations contained in the monograph led me to the conclusion that the USMCA is a solution which inspires hope in the parties to the agreement. It is believed that it would speed up the post-COVID-19 recovery and – in combination with reshoring jobs from China – would maintain the trajectory of job growth. It must be realised that following the pathway of using the USMCA as a template for trade agreements to be negotiated in the future, may further accelerate regionalisation and reduce the role of the WTO. However, a question

arises as to the usefulness of this Organization in the protection of workers' rights. The analysis in this book shows limitations of the trade-labour nexus based on the WTO.

All things considered, our attention must naturally focus on the ILO. Detailed analysis revealed that although it is attracting much criticism from many commentators, it shall continue to constitute one of the most important keystones of global labour governance. In these uncertain times, it is important to keep this mainstay of safety for workers in the best condition possible.

Research has shown that implementing private codes of conduct equipped with global labour standards in supply chains, and other CSR instruments may lead, inter alia, to an improvement in working conditions, so their further development should be postulated. The shortcomings of the codes discussed in the book do not mean that they should be abandoned, particularly in such difficult times. It is important to recognise that the COVID-19 pandemic has brought new risks to workers all over the globe, including those related to core labour standards, such as child or forced labour. A number of negative economic phenomena, for example, fluctuations in commodity prices, significant changes in demand or cancellations of orders, wield influence on the most vulnerable groups. For this reason, any tools, even imperfect as corporate codes of conduct, shall be taken in consideration when addressing how to reduce vulnerabilities, especially in the context that MNCs' supply chains in a post-pandemic world, to some extent, will differ from the former ones.

In the light of the results of my research it was proved that a unilateral mechanism in the form of GSP schemes constitutes an important component of a multilevel approach. Their positive outcomes should strengthen our belief that GSP programmes are worth operationalising. They also perfectly fit into the aforementioned postulate related to the conclusion of FTAs. Indeed, the EU GSP specifies the target aspirations in terms of conventions that should be ratified and implemented by future FTA partners. Thus, the GSP may be often perceived as a stepping-stone to the conclusion of a FTA.

5. Presentation of significant scientific or artistic activity carried out at more than one university, scientific or cultural institution, especially at foreign institutions

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor

In addition to the monograph discussed above, I was the author of nine scientific publications in which I presented partial research results of **the project entitled "Global Trade and Labour Rights"**. These are the following:

Workers' rights and transatlantic trade relations: the TTIP and beyond, Economic and Labour Relations Review 2017, Vol. 28, Issue 1 (SAGE journals; indexed in Journal Citation Reports; 1.571 Impact Factor; 1.031 Impact Factor in the year of publication; 2.399 5-year Impact Factor);

Le catene globali del valore: riduzione o riproduzione delle disuguaglianze di retribuzione e delle condizioni di lavoro?, Revista de Direito do Trabalho - Ed. Especial 2019, Thomson Reuters Brasil, ISBN 978-85-532-1606-2;

The Compliance of International Trade Agreements with the ILO Standards: What Reforms Should Be Undertaken in the Nearest Future?, STUDIA IURIDICA Cassoviensia, Issue 2, 6.2018;

The EU and Japan's Economic Partnership Agreement: Labour Provisions under the 'Trade and Sustainable Development' Chapter, Juridical Tribune, Vol. 10 Special Issue, October 2020;

The US's and the EU's Generalised System of Preferences: a Comparison in the Context of Workers' Rights, Studia z Zakresu Prawa Pracy i Polityki Społecznej 2020/2;

Corporate Codes of Conduct: Are Three Generations Sufficient to Ensure the Effective Enforcement of Labour Rights?, Bratislava Law Review, Wolters Kluwer 2018, No. 2;

The compliance of International Trade Agreements with the ILO standards: what reforms should be undertaken in the nearest future [in:] Giuseppe Casale, Tiziano Treu (eds.), *Transformations of work: challenges for the national systems of labour law and social security,* Giappichelli Editore, Turin 2018, https://www.giappichelli.it/transformations-of-work-challenges-for-the-national-systems-of-labour-law-and-social-security;

Corporate social responsibility instruments and their impact on labour rights, Acta Iuris Stetinensis 2020, No. 1, Vol. 29;

The linkage between labour standards and international trade: how to offset the global inequality?, Wroclaw Review of Law, Administration & Economics Vol. 9:1, 2019.

I also dealt with the issues of labour rights in the context of global trade before applying to the National Science Centre for financing the project. The result of my previous research was included in the article entitled: *Transatlantyckie Partnerstwo w dziedzinie Handlu i Inwestycji – pułapka dla prawa pracy?,* Praca i Zabezpieczenie Społeczne 2016, No. 4. The Transatlantic Trade and Investment Partnership expected impact on jobs and wages was discussed from different points of view. I focused particularly on a real threat emerging mainly from the activity of various lobbies and the discrepancies between the US and the EU labour and social law. The study also concerned the shape of the TTIP chapter containing provisions on labour.

Another publication prepared in co-authorship with Professor Zbigniew Góral has a substantive connection with the aforementioned project. It is entitled: *Źródła międzynarodowego prawa pracy i ich wpływ na system prawa polskiego* [in:] K.W. Baran (ed.), *System prawa pracy*, vol. IX, *Międzynarodowe publiczne prawo pracy: standardy globalne*, Wolters Kluwer, Warsaw 2019.

The second research area I explored was related to labour rights of migrant workers. As important in this regard I consider the article entitled *Efektywność pracowniczych praw człowieka na przykładzie migrantów,* Praca i Zabezpieczenie Społeczne 2016, No. 11. The aim of this article was to examine the effectiveness of human labour rights on the example of migrants, taking as a starting point typology which divides international standards concerning labour as a matter of human rights into four groups: rights relating to employment (e.g. the

prohibition of slavery and forced labour, the right to protection against unemployment); rights deriving from employment (e.g. the right to social security, the right to just and favourable conditions of work); rights concerning equal treatment and non-discrimination, and instrumental rights (e.g. the right to organise, the right to strike, and the right to collective bargaining). Another two publications related to this subject were created as part of an individual **research project entitled "The Effectiveness of Human Labour Rights of Migrant Workers"** (no. B1711900001696.02) funded by the Ministry of Science and Higher Education under the grant for the development of young scientists and doctoral candidates. These are the following publications:
Abuse of human labour rights of migrant workers [in:] *The Milestones of Law in the Area of the Europe 2017*, Univerzita Komenského v Bratislave, Právnická fakulta, Bratislava 2017;

Migration and Gender: The Case of Domestic Workers in Europe, [in:] F. Tilbe, I. Sirkeci, M. Erdogan, The Migration Conference 2017, Transnational Press London 2017.

The article entitled *Migrant Domestic Workers in Europe: The Need for Better Protection,* Adam Mickiewicz University Law Review 2017 is significant in my scholarly output. It was prepared in the framework of the project entitled **"Migrant women on the labour market – identifying determinants and consequences of labour market inequalities considering the intersection between gender and ethnicity"** financed from the European Union's Seventh Programme for Research, Technological Development and Demonstration (FP7/2013-2017), agreement no. 312691, InGRID – Inclusive Growth Research Infrastructure Diffusion (a consortium of seventeen European academic centres), conducted in the Amsterdam Institute for Advanced Labour Studies (AIAS), University of Amsterdam, 2016.

The research I undertook included an analysis of the methods of supporting the development of new skills and occupations in the framework of the fourth industrial revolution, carried out from the point of view of labour law. I completed an individual research project in this area entitled **"The Fourth Industrial Revolution: New Skills, Occupations, and Methods of Supporting their Development"** (no. B1711900001771.02) funded by the Ministry of Science and Higher Education under the grant for the development of young scientists and doctoral candidates. I presented the results of research in this area in the following scientific publications:

Emerging Skills and Occupations in the Fourth Industrial Revolution: How to Respond to Changing Work Demands? [in:] Lourdes Mella Méndez (ed.), *Regulating the Platform Economy: International Perspectives On New Forms Of Work*, Routledge: London and New York 2020;

The Fourth Industrial Revolution: Workers within the Gig Economy [in:] *Miľníky práva v stredoeurópskom priestore 2018 (The Milestones of Law in the Area of Central Europe 2018),* Univerzita Komenského v Bratislave, Právnická fakulta, Bratislava 2018;

The Fourth Industrial Revolution: New Skills, Occupations, and Methods of Promoting Their Development, Professionalità Studi 2018, No. 5/I (May-June), Studium – Ed. La Scuola – ADAPT University Press.

I also took up the issue of new technologies related to the fourth industrial revolution in the article entitled *Cryptocurrencies: Some Remarks from the Perspective of Polish Employment and Tax Law*, TalTech Journal of European Studies Vol. 10, no. 1 (30) 2020, (legal

successor of Baltic Journal of European Studies ISSN 2228-0596, indexed and listed in the same way in all the databases), (co-author: Robert Siuciński). In this article I examined in particular the possibility of using cryptocurrency in order to pay remuneration and realise partial non-cash payment of remuneration.

The subject of my research included the issue of human work in global value chains. The research results obtained in the framework of the individual project entitled **“Il lavoro umano nell’ambito delle catene globali del valore: dall’abbigliamento ai palloni da calcio”** (no. B1811900002023.02) funded by the Ministry of Science and Higher Education under the grant for the development of young scientists and doctoral candidates, were presented in the following article: *Il lavoro umano nell'ambito delle catene globali del valore: dall'abbigliamento ai palloni da calcio*, Rivista di Studi Politici Internazionali 2020/4. In the light of the conclusions formulated at the 105th session of the International Labour Conference which was held in 2016 in Geneva and which focused on decent work in global supply chains, I reviewed critically the working conditions in the football manufacturing industry and the clothing industry. This article tried to offer explanations about the causes of inequalities in pay and working conditions in the selected regions. The reflection ended with some proposals on how to achieve decent working conditions in global value chains.

In the period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor I also conducted comparative legal research on the issues related to shaping the provisions of collective agreements in a manner less favourable to workers than provided for in the statutory law. The comparative analysis included: Denmark, Norway, Finland, Sweden, Spain, Greece, Italy, Hungary, Portugal, Germany, the Netherlands, France, the Czech Republic and Slovakia. Publications resulting from the **project entitled “The Collective Agreement as a Measure of Flexibilisation of Labour Law – a Comparative Study”** (no. B1611900001457.02), funded by the Ministry of Science and Higher Education under the grant for the development of young scientists and doctoral candidates, contained conclusions for Poland and *de lege ferenda* postulates formulated for the Labour Law Codification Commission established in 2016. The following scientific publications of my authorship were created as part of this project:

Kształtowanie postanowień układów zbiorowych pracy w sposób mniej korzystny dla pracowników niż przewidziany w przepisach rangi ustawowej – ujęcie prawnoporównawcze, Praca i Zabezpieczenie Społeczne 2017, No. 2;

Derogations In Peius from the Statutory Law in Collective Agreements – A Comparative Perspective, Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2017;

The Collective Agreement as a Measure of Flexibilisation of Labour Law: a Comparative Study [in:] *Recenzovaný sborník příspěvků mezinárodní vědecké konference MMK 2016 Mezinárodní Masarykova Konference pro doktorandy a mladé vědecké pracovníky,* Magnanimitas, Hradec Králové 2016.

Moreover, I was a co-investigator in the international research project OPUS financed by the National Science Centre: **„W poszukiwaniu prawnego modelu samozatrudnienia w Polsce. Analiza prawnoporównawcza”** [**“In Search of the Self-Employment Model in Poland. A Comparative Analysis”]** no. 2018/29/B/HS5/02534. In addition to researchers from the University of Lodz, the international research team headed by Professor Tomasz Duraj included: Professor Catherine Barnard (the University of Cambridge), Professor Rolf Wank

(the Ruhr-University Bochum), Professor Tamás Gyulavári (the Pázmány Péter Catholic University) and Professor Ingrida Mačernytė Panomarioviené (the Law Institute of Lithuania). The partial results of my research have been presented so far in two scientific publications. The first of them entitled *Samozatrudnienie czy praca podporządkowana? Przypadki Włoch i Hiszpanii* was published in Praca i Zabezpieczenie Społeczne (2020/12). The paper aimed to analyse legal regulations concerning self-employment in Italy and Spain. Given that both countries are characterised by a dualism between self-employment and subordinate work, I paid particular attention to legal figures, which do not fit easily into this division, namely economically dependent self-employed workers (the Spanish case), collaborations organised by client and coordinated collaborations, organised by the independent contractor (the Italian case). I tried to answer the question whether the Polish legislator can draw a lesson from foreign regulations.

The second publication – *Collective Labour Rights of Self-Employed Persons on the Example of Spain: Is There Any Lesson for Poland?* [in:] Tomasz Duraj (ed.), *Collective Labour Law or Collective Employment Law? Protection of the rights and collective interests of persons engaged in gainful employment outside the employment relationship*, Acta Universitatis Lodziensis, Folia Iuridica, Łódź, Wydawnictwo Uniwersytetu Łódzkiego, Vol. 95, 2021 – aimed to analyse collective labour rights of both "classic" self-employed persons and economically dependent self-employed workers under the Spanish Statute of Self-Employed Workers (*Ley 20/2007 del Estatuto del Trabajo Autónomo*). I tried to answer the questions: is the scope of protection wide enough, and can Poland draw a lesson from the Spanish regulations?

Further chapters on self-employment in Italy, Spain and France were sent to the Principal Investigator in order to be included in the two final books edited by him.

The seventh research area is related to **the legal situation of persons performing work through internet platforms and new technologies under the so-called on-demand economy** (e.g. Uber drivers). In the framework of the international cooperation with the University of the Balearic Islands, I prepared in co-authorship with Professor Adrián Todolí Signes, the publication entitled:

The need for a platform-specific employment contract in the Uber economy, Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2016. It concerns the need to cover people who work via online platforms with the protection of labour law and to create a specific employment contract for them.

The second publication on the situation of workers in the on-demand economy is exclusively of my authorship:

The position of workers in the on-demand economy: The need for increased protection, Studia z Zakresu Prawa Pracy i Polityki Społecznej 2017.

My research interests also focus on issues related to **discrimination in employment.** In co-editorship with Professor Joseph Carby-Hall from the University of Hull and Professor Zbigniew Góral, we have prepared three monographs on this subject, one of which was published in Poland by Wolters Kluwer, and two more – with chapters by almost twenty scientists from around the world – will be published by the British publishing house Routledge:

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Różne oblicza dyskryminacji w zatrudnieniu*, Wolters Kluwer, Warsaw 2021;

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Facets of Discrimination in Employment. International Legal Perspectives*, Routledge: London – New York 2022;

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Discrimination Employment Law. Experiences from Selected Countries*, Routledge: London – New York 2022/2023.

As the author/co-author I prepared the following texts included in the above-mentioned monographs:

a chapter on the "other" discriminatory criteria than those included in the Polish Labour Code, entitled: *The "other" discriminatory criteria: Unregulated in the Polish Labour Code but clarified by case law* [in:] Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Facets of Discrimination in Employment. International Legal Perspectives*, Routledge: London – New York 2022.

O ciężarze dowodu w sprawach z zakresu dyskryminacji w zatrudnieniu słów kilka [in:] Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Różne oblicza dyskryminacji w zatrudnieniu,* Wolters Kluwer, Warsaw 2021. The purpose of the chapter was to examine whether the rules on the distribution of the burden of proof fulfill their purpose in court proceedings; to illustrate how the burden of proof is shared in practice, in cases involving both direct and indirect discrimination; and to examine whether judgments of Polish courts are in the spirit of EU law. In the text, I focused mainly on the case law from 2015-2020, because the judgments issued earlier were largely discussed in my monograph entitled „Ciężar dowodu w prawie pracy. Studium na tle prawnoporównawczym".

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc, *Wprowadzenie* [in:] Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Różne oblicza dyskryminacji w zatrudnieniu,* Wolters Kluwer, Warsaw 2021.

In addition, after defending my doctoral dissertation, I published an article entitled *Les conséquences du renversement de la charge de la preuve dans le contexte des arrêts de la Cour de justice de l'Union européenne – Asociaţia Accept (C-81/12) et Galina Meister (C-415/10),* Adam Mickiewicz University Law Review 2015, No 5, in which I referred to two judgments of the CJEU concerning the principle of the reverse burden of proof in anti-discrimination cases.

The subject of **burden of proof**, which I already dealt with in my doctoral dissertation, is related to two further publications prepared after the defense of this dissertation, aimed at promoting the results of my research in Spanish-speaking countries. In international cooperation, I prepared an article entitled *La carga de la prueba en el proceso laboral español y comparado*, which was published in the Spanish journal Revista de Trabajo y Seguridad Social del CEF 2016, No. 396, March (co-author: Professor Adrián Todolí Signes).

The second text – by my sole authorship – entitled *La carga de la prueba en derecho laboral desde la perspectiva comparada* was published in Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2015.

Labour inspection was also the subject of my research interests. In co-authorship with Professor Zbigniew Góral, I wrote an article entitled *O misji inspekcji pracy w świetle unormowań Międzynarodowej Organizacji Pracy – wybrane uwagi*, Przegląd Prawa i Administracji CXVIII, Wrocław 2019. In this study, I dealt with the genesis and evolution of the ILO legal regulation on labour inspection, I made a general description of ILO acts on labour inspection and presented models of labour inspection.

In co-authorship with Professor Zbigniew Góral, I also prepared a commentary to the judgment of the European Court of Human Rights of 17 October 2019 **in the case of López Ribalda and others vs. Spain**:

Glosa do wyroku Europejskiego Trybunału Praw Człowieka z 17 października 2019 r. w sprawie López Ribalda i inni vs. Hiszpania, *nr skarg 1874/13 i 8567/13*, Przegląd Sejmowy no. 3(158)/2020. The commentary to the judgment contains the authors' reflections on how the Grand Chamber failed to strike a fair balance between the applicants' right to respect for their private life and the employer's interest in the protection of its property rights. Moreover, the commentary pays attention to Articles 22^2 and 22^3 of the Labour Code and considers whether amendments are required under Polish law.

Two book reviews of my authorship are also related to my research interests oscillating around comparative and international labour law:

Rec. MATTHEW W. FINKIN, GUY MUNDLAK (red.), Comparative Labor Law. Cheltenham-Northampton 2015, Edward Elgar Publishing, s. xi + 491, Państwo i Prawo 2016, No. 9,

Rec. ANTONIO OJEDA-AVILÉS, Transnational Labour Law. Alphen aan den Rijn, The Netherlands 2015, Kluwer Law International, s. xx + 324, Państwo i Prawo 2015, No. 11

and two reports from international conferences:

Europejski Kongres Regionalny Międzynarodowego Stowarzyszenia Pracy i Relacji Pracowniczych ILERA (Mediolan, 8-10.9.2016 r.), Państwo i Prawo 2017, No. 7.

Labour Law Research Network Conference 2015, Praca i Zabezpieczenie Społeczne 2015, No. 11.

It is worth adding that I was also the secretary of the volume entitled *System Prawa Pracy. Tom XI. Pragmatyki pracownicze* (scientific editors K.W. Baran and Z. Góral, editor-in-chief of the series *System Prawa Pracy* K.W. Baran), Wolters Kluwer, Warsaw 2021. While creating the volume, I was entrusted with substantive supervision over 10 chapters. The scope of substantive supervision included, in particular, consulting with scientific editors of the content of the work and its form, reporting to scientific editors comments on the submitted texts and direct cooperation with scientific editors at the stage of approval of 10 chapters of the volume before their transfer to the publishing house and during the author's proofreading.

Modified version of my doctoral thesis entitled ***"Ciężar dowodu w prawie pracy"***, distinguished by the Council of the Faculty of Law and Administration of the University of Lodz, was published by Wolters Kluwer in 2016 as a monograph entitled „Ciężar dowodu w prawie pracy. Studium na tle prawnoporównawczym" ["The Burden of Proof in Employment Law. The Study Against the Legal-Comparative Background"] (100 points; level I of the list of

the Ministry of Science and Higher Education of publishing houses publishing peer-reviewed scientific monographs).

The period before obtaining the Doctor of Law degree

The above-mentioned monograph was the result of an individual research project entitled „Ciężar dowodu w prawie pracy" financed by the National Science Centre in Poland, PRELUDIUM call, no. 2012/05/N/HS5/01589. Due to the obligations resulting from the project regarding the publication of partial research results, I prepared the following studies:

Ciężar dowodu we francuskim prawie pracy, Przegląd Sądowy 2015, No. 1;

Sposoby przerzucania ciężaru dowodu w prawie pracy (wybrane zagadnienia), Państwo i Prawo 2014, No. 7;

Ciężar dowodu w holenderskim prawie pracy, Zeszyt Studencki Kół Naukowych Wydziału Prawa i Administracji UAM 2014, Wydawnictwo Naukowe UAM;

Możliwość zakwalifikowania interesu ekonomicznego jako obiektywnego kryterium uzasadniającego zróżnicowanie pracowników a realizacja zasad równości i sprawiedliwości, Studia z zakresu prawa pracy i polityki społecznej 2013;

Konwergencja wybranych systemów prawnych – refleksje na kanwie zagadnienia ciężaru dowodu w prawie pracy, Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2013;

Onus probandi w hiszpańskim prawie pracy na tle rozwiązań polskich, Przegląd Sądowy 2013, No. 7-8;

Odpowiedzialność materialna pracowników za mienie powierzone i niepowierzone – rozkład ciężaru dowodu [in:] *Právní rozpravy 2014*, Vol. IV, Magnanimitas, Hradec Králové 2014;

The Influence of the Court of Justice of the European Union on Shaping the Procedural Standards for Non-Discrimination in Employment [in:] *The Milestones of Law in the Area of Central Europe 2014,* Univerzita Komenského v Bratislave, Právnická fakulta, Bratislava 2014;

Ciężar dowodu w niemieckim prawie pracy [in:] *Правове життя: сучасний стан та перспективи розвитку*, Ministerstwo Oświaty i Nauki Ukrainy, Wschodnioeuropejski Uniwersytet Narodowy im. Łesi Ukrainki, Łuck 2014;

Ciężar dowodu w administracyjnoprawnej sferze prawa pracy [in:] B. M. Ćwiertniak, Aktualne zagadnienia prawa pracy i polityki socjalnej (zbiór studiów), Vol. III, Oficyna Wydawnicza „Humanitas", Sosnowiec 2013; chapter 17;

Research Methods for Employment Law – Study on the Example of the Issue of the Burden of Proof [in:] *The Milestones of Law in the Area of Central Europe 2013*, Univerzita Komenského v Bratislave, Právnická fakulta, Bratislava 2013;

Convergence of National Legal Systems – Burden of Proof in Employment Law [in:] *The Interaction of National Legal Systems: Convergence or Divergence?,* Vilnius University, Vilnius 2013;

Relacja klauzul generalnych „zasad współżycia społecznego" i „wypowiedzenia nieuzasadnionego" oraz jej wpływ na rozkład ciężaru dowodu [in:] *Правове життя: сучасний стан та перспективи розвитку*, Ministerstwo Oświaty i Nauki Ukrainy, Wschodnioeuropejski Uniwersytet Narodowy im. Łesi Ukrainki, Łuck 2013;

Ciężar dowodu w sprawach o mobbing w Polsce [in:] *Právní rozpravy 2013*, Vol. III, Magnanimitas, Hradec Králové 2013.

I was interested in the subject of the burden of proof in labour law before submitting the project funding application to the National Science Centre. The following publications were written in the period of 2010-2012:

Burden of Proof in European Antidiscrimination Law and in the Light of the Judgments of the Court of Justice of the European Union [in:] *Правове життя: сучасний стан та перспективи розвитку*, Ministerstwo Oświaty i Nauki, Młodzieży i Sportu Ukrainy, Wołyński Uniwersytet Narodowy imienia Łesi Ukrainki, Łuck 2012;

Ciężar dowodu w sprawach o wynagrodzenie za pracę w godzinach nadliczbowych [in:] R. Frey (ed.), *Przemiany prawa publicznego i prywatnego na początku XXI wieku*, Wyższa Szkoła Ekonomii i Prawa im. prof. Edwarda Lipińskiego w Kielcach, Kielce 2012;

Ciężar dowodu – wokół definicji oraz dopuszczalności umownej regulacji, Zeszyt Studencki Kół Naukowych Wydziału Prawa i Administracji UAM 2012, No. 2;

Metody badania prawa pracy – studium na przykładzie problematyki ciężaru dowodu, Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2012;

Ciężar dowodu we włoskim prawie pracy – wybrane zagadnienia, Przegląd Sądowy 2012, No. 5;

Ciężar dowodu w sprawach antydyskryminacyjnych, Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2011;

Ciężar dowodu w prawie pracy, Studia z zakresu prawa pracy i polityki społecznej 2010.

Moreover, the research of a diverse nature that I undertook before defending my doctoral thesis (before June 16, 2015) was conducted in order to improve and increase the efficiency of public institutions, especially public administration, and to increase the efficiency of the structures of the judiciary. They concerned, among others: **the principle of truth in civil proceedings, the issue of administrative sanctions, the electronic Platform of Public Administration Services, limitation of claims in labour law and the civil service in Poland**:

Przedawnienie roszczeń a nadużycie prawa podmiotowego w prawie pracy na tle regulacji cywilistycznej [in:] *Актуальні проблеми прав людини, держави та правової системи*, Ministerstwo Oświaty i Nauki, Młodzieży i Sportu Ukrainy, Lwowski Uniwersytet Narodowy im. Iwana Franki, Narodowa Akademia Nauk Prawnych Ukrainy, Lwów 2011;

Z urzędu albo na zarzut – problem uwzględniania przez sąd upływu przedawnienia w polskim prawie pracy na tle regulacji cywilistycznej [in:] *Правове життя: сучасний стан та перспективи розвитку*, Ministerstwo Oświaty i Nauki, Młodzieży i Sportu Ukrainy, Wołyński Uniwersytet Narodowy imienia Łesi Ukrainki, Łuck 2011;

Civil Service: Systems of Recruitment and Polish Regulations [in:] *Матеріали Міжнародної Науково Практичної Конференції „Становлення, функціонування та розвіток правових систем сучасності: проблеми науки і практики"*, Astroprint, Odessa 2010;

Istota zasady prawdy w procedurze cywilnej [in:] *Актуальні проблеми прав людини, держави та правової системи*, Ministerstwo Oświaty i Nauki, Młodzieży i Sportu Ukrainy, Lwowski Uniwersytet Narodowy im. Iwana Franki, Narodowa Akademia Nauk Prawnych Ukrainy, Lwów 2012;

Ograniczenia zasady prawdy materialnej w postępowaniu cywilnym [in:] D. Gil, I. Butryn, A. Jakieła, K. M. Woźniak (eds.), *Współczesne problemy wymiaru sprawiedliwości I*, Wydawnictwo KUL, Lublin 2012;

Sankcje administracyjne – wybrane problemy i możliwe rozwiązania [in:] E. Jasiuk, G. P. Maj (eds.), *Wyzwania i dylematy związane z funkcjonowaniem administracji w Polsce*, Wyższa Szkoła Handlowa w Radomiu, Radom 2012 (co-author: Monika Odrowska-Stasiak);

Elektroniczna Platforma Usług Administracji Publicznej – PUAPka e-administracji? [in:] E. Jasiuk, G. P. Maj (eds.), *Współczesne uwarunkowania europeizacji i informatyzacji administracji,* Wyższa Szkoła Handlowa w Radomiu, Radom 2012 (co-author: Monika Odrowska-Stasiak);

Problem dynamiki tworzenia sądowej kontroli administracji na Ukrainie w kontekście analogicznych procesów zachodzących w innych europejskich państwach dawnego bloku wschodniego [in:] *Актуальні питання реформування правової системи України*, Wołyński Uniwersytet Narodowy imienia Łesi Ukrainki, Łuck 2010 (co-author: Robert Siuciński);

A brief outline of judicial control of administration in Turkey and Poland [in:] *Актуальні проблеми юридичної науки. Збірник тез*, Wydawnictwo Chmielnickiego Uniwersytetu Zarządzania i Prawa, Chmielnicki 2009 (co-author: Robert Siuciński).

Other publications from this period concerned **discrimination in employment and the strike against a comparative background, as well as the reaction of the Polish legislator to the crisis that began in 2008**:

Legal regulations prohibiting discrimination in US and EU – are they sufficient? [in:] *Перші юрисдичні диспти з актуальних проблем приватного права,* Astroprint, Odessa 2011;

Strike in Poland and Germany [in:] *Порівняльне правознавство: сучасний стан і перспективи розвитку. Збірник наукових праць*, Instytut Państwa i Prawa im. W. M. Koreckiego Narodowej Akademii Nauk Ukrainy, Kijowski Uniwersytet Narodowy im. Tarasa Szewczenki, Kijów 2010;

Odpowiedź polskiego ustawodawcy na kryzys gospodarczy [in:] *Gospodarka, społeczeństwo, państwo – dokąd zmierza świat? Materiały z I Ogólnopolskiej Interdyscyplinarnej Konferencji Studenckich Kół Naukowych*, Uniwersytet Ekonomiczny w Katowicach, Katowice 2010.

In the period before defending my doctoral thesis, I was also the author or co-author of **reports from various scientific conferences:**

Labour Law Research Network Inaugural Conference, Polityka Społeczna 2014, No. 1;

Labour Law Research Network Inaugural Conference, Praca i Zabezpieczenie Społeczne 2013, No. 10;

Pierwsze Seminarium Szubertowskie (Łódź, 26 XI 2010), Państwo i Prawo 2011, No. 10 (co-author: Paulina Wysocka);

Pierwsze Seminarium Szubertowskie. Sprawozdanie, Praca i Zabezpieczenie Społeczne 2011, No. 3 (co-author: Paulina Wysocka);

Konferencja inauguracyjna sieci naukowo-badawczej prawa pracy (Barcelona, 13-15 VI 2013 r.), Państwo i Prawo 2013, No. 11;

Drugie Seminarium Szubertowskie. Sprawozdanie, Państwo i Prawo 2013, No. 2 (co-author: Paulina Wysocka);

Drugie Seminarium Szubertowskie, Praca i Zabezpieczenie Społeczne 2012, No. 5 (co-author: Paulina Wysocka);

Trzecie Seminarium Szubertowskie (Łódź, 30 XI-1 XII 2012), Państwo i Prawo 2013, No. 9 (co-authors: Anna Piszczek, Paulina Wysocka);

Trzecie Seminarium Szubertowskie, Praca i Zabezpieczenie Społeczne 2013, No. 7 (co-authors: Anna Piszczek, Paulina Wysocka);

Trzecie Seminarium Szubertowskie, Polityka Społeczna 2013, No. 5-6 (co-authors: Anna Piszczek, Paulina Wysocka);

Układy zbiorowe pracy - przeszłość, teraźniejszość i przyszłość. Sprawozdanie z Trzeciego Seminarium Szubertowskiego, Monitor Prawa Pracy (co-authors: Anna Piszczek, Paulina Wysocka), https://czasopisma.beck.pl/aktualnosc/uklady-zbiorowe-pracy-przeszlosc-terazniejszosc-i-przyszlosc-sprawozdanie-z-trzeciego-seminarium-szubertowskiego/ (June 27, 2013).

I also consider delivering papers at scientific conferences to be a significant scientific activity carried out at more than one university or scientific institution, especially foreign one.

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor

In the framework of the **research project entitled "Global Trade and Labour Rights"** I delivered the following papers at international conferences abroad:

author's lecture and debate with invited discussants in the framework of the panel entitled *Book Panel: Aneta Tyc, Global Trade, Labour Rights and International Law: A Multilevel Approach (London and New York: Routledge 2021)* at the international conference ICON•S Mundo, Conference of the International Society of Public Law: The Future of Public Law (July 6-9, 2021; Zoom: online)

lecture entitled *Global Labour Governance System and Pathways for its Development,* 6th Regulating for Decent Work Conference, International Labor Organization, Geneva, July 8-10, 2019

lecture entitled *The ILO's 100th Anniversary: What Strategy for the Next Century?*, The International Labour and Employment Relations Association (ILERA) European Congress *Perspectives of Employment Relations in Europe*, Düsseldorf, September 5-7, 2019

presentation of the poster entitled *Le centenaire de l'OIT: Quel rôle l'OMC peut-elle jouer pour contribuer a garantir l'efficacité des normes internationales du travail?* at the conference *Centenaire de l'OIT: L'impact des normes de l'OIT sur la scène internationale*, Paris, September 24, 2019, Université Paris 1 Panthéon-Sorbonne and *Regards croisés universitaires et syndicaux sur l'OIT : quelles ambitions pour le deuxième centenaire?* Paris, September 23, 2019, Université Paris 1 Panthéon-Sorbonne (on invitation)

lecture entitled *How to Shape the Future Direction of Global Labour Governance?* at the world conference *Public Law in Times of Change?* organised in Santiago at the Pontifical Catholic University of Chile by ICON·S (The International Society of Public Law), July 1-3, 2019

lecture entitled *The WTO Needs Reforms: Is there Space for Labour Rights?*, The Socio-Legal Studies Association Conference 2019, Labour Law and Society, The School of Law, University of Leeds, April 3-5, 2019

lecture entitled *Labour Standards: Within the ILO, the WTO or Both?* given at the conference *A Global Conversation on Labour Law* organised by Labour Law Research Network in Chile at the Pontificia Universidad Católica de Valparaíso, June 23-25, 2019

lecture entitled *The WTO and the ILO: how to build more effective transnational regulatory regimes in order to eliminate global inequalities at work?*, international conference entitled *DSA2018: Global inequalities, panel pt. Law, inequality, and development: new theories, methods, and insights* organised at the University of Manchester, June 27-29, 2018

lecture entitled *The Need for a New Global Labour Governance: How to Improve Compliance with Transnational Labour Standards?*, international congress: *18th International Labour and Employment Relations Association (ILERA) World Congress: Employment for a Sustainable Society: What Is To Be Done?*, organised by International Labour and Employment Relations Association, Korea Labor and Employment Relations Association, Korea Labor Institute, Korea Labor Foundation, Seoul, Korea, July 23-27, 2018

lecture entitled *Codes of Conduct: Are Three Generations Sufficient to Ensure the Effective Enforcement of Labour Rights?*, international congress: *18th International Labour and Employment Relations Association (ILERA) World Congress: Employment for a Sustainable Society: What Is To Be Done?*, organised by International Labour and Employment Relations Association, Korea Labor and Employment Relations Association, Korea Labor Institute, Korea Labor Foundation, Seoul, Korea, July 23-27, 2018

lecture entitled *The compliance of International Trade Agreements with the ILO standards: what reforms should be undertaken in the nearest future?*, XXII World Congress of the International Society for Labour and Social Security Law (ISLSSL) *Transformations of Work:*

challenges for the National Systems of Labour Law and Social Security, Turin, September 4-7, 2018

lecture entitled *Freezing Negotiations over the TTIP: an Opportunity to Rethink the Future Shape of the Workers' Rights Protection?,* congress: *I International Congress | Labour 2030 | Rethinking the Future of Work* organised by CIELO Laboral in Porto, July 13-14, 2017 (plenary session)

lecture entitled *Corporate Codes of Conduct - Do They Really Pay Attention to the Worker Factor by Improving the Effectiveness of Labour Standards?*, international conference *The Human Factor in Business History* organised at the University of Glasgow, June 29 – July 1, 2017

lecture entitled *Global Trade and Labour Standards: How to Provide Economic Growth and Social Justice?,* international conference *Sustainability interrogated: societies, growth, and social justice*, organised at the University of Bradford, September 6-8, 2017

lecture entitled *The Linkage between Labour Standards and International Trade: How to Offset the Global Inequality?* at the conference entitled *Global Inequality: A Divided History*, organised at the University of Warwick, April 19-21, 2017 (plenary session).

The following papers were given in the framework of another individual research project entitled **"The Effectiveness of Human Labour Rights of Migrant Workers"**:

lecture entitled *The Situation of Migrant Domestic Workers from the Perspective of the Protection of Labour Rights* at the world conference entitled *Public Law in Times of Change?* organised in Santiago at the Pontifical Catholic University of Chile by ICON·S (The International Society of Public Law), July 1-3, 2019

lecture entitled *The Effectiveness of Human Labour Rights of Migrant Workers*, congress of the International Society for Labour and Social Security Law (ISLSSL) organised at Charles University in Prague, September 20-22, 2017

lecture entitled *Migration and Gender: the Case of Domestic Workers in Europe*, international conference *The Migration Conference* organised at the Harokopio University in Athens, August 23-26, 2017

lecture entitled *Human Labour Rights of Migrant Domestic Workers: the Need for Better Protection*, international conference *Movement and Migration in the Middle East: People and Ideas in Flux* organised at the University of Edinburgh, July 5-7, 2017 (I was also chairing one of the panels)

lecture entitled *Abuse of Human Labour Rights of Migrant Workers* at the conference entitled *The Milestones of Law in the Area of the Central Europe 2017* organised at the Comenius University, March 30 – April 1, 2017 (on invitation).

I also gave a lecture related to the topic of migrant workers as a participant in the **project entitled "Migrant women on the labour market – identifying determinants and consequences of labour market inequalities considering the intersection between gender and ethnicity"**. My article entitled *Migrant Domestic Workers in Europe – Modern Slavery,*

Hyper-Precarity and Discrimination? was selected by the principal investigators in a competition procedure and presented on October 27, 2016, during my stay (October 24-28, 2016) at the University of Amsterdam (plenary session).

At international conferences abroad, I also presented the research results obtained under the **project entitled "The Fourth Industrial Revolution: New Skills, Occupations, and Methods of Supporting their Development"**:

lecture entitled *The 4th Industrial Revolution and Occupational Change* at the international congress *Innovación tecnológica y futuro del trabajo: aspectos emergentes en el ámbito mundial* organised at the University of Santiago de Compostela, April 5-6, 2018

lecture entitled *The Fourth Industrial Revolution from the Workers', the Business and the Policy-Makers' Perspective* at the international conference entitled *Pluralistic Perspectives of Business History: Gender, Class, Ethnicity, Religion* organised at the Open University, Milton Keynes, England, June 28-30, 2018

lecture entitled *Emerging Skills and Occupations in the Industry 4.0: How to Respond to Changing Work Demands?*, world congress: *18th International Labour and Employment Relations Association (ILERA) World Congress: Employment for a Sustainable Society: What Is To Be Done?*, organised by the International Labour and Employment Relations Association, Korea Labor and Employment Relations Association, Korea Labor Institute, Korea Labor Foundation, Seoul, Korea, July 23-27, 2018

lecture entitled *The Fourth Industrial Revolution: New Skills, Occupations, and Methods of Supporting Their Development*, international conference *Industry 4.0: Triggering Factors and Enabling Skills* organised at the University of Bergamo in Italy, December 1-2, 2017

lecture entitled *The Fourth Industrial Revolution: Workers within the Gig Economy* at the international conference entitled *The Milestones of Law in the Area of the Central Europe 2018*, panel *Sharing Economy and Its Impact on Labour Market* organised at the Comenius University, April 12-14, 2018 (on invitation).

As a principal investigator of the **research project entitled "Il lavoro umano nell'ambito delle catene globali del valore: dall'abbigliamento ai palloni da calcio"** I gave the lecture entitled:
Le catene globali del valore: riduzione o riproduzione delle disuguaglianze di retribuzione e condizioni di lavoro? at the world congress of CIELO Laboral entitled *Cuarta revolución industrial y globalización: la protección del empleo, la salud y vida privada de los trabajadores ante los desafíos del futuro* organised by Universidad de la República in Montevideo, October 12-13, 2018 (plenary session).

In the framework of the **research project entitled "The Collective Agreement as a Measure of Flexibilisation of Labour Law – a Comparative Study"**, I gave the following papers at the international conferences abroad:

communication entitled *The Collective Agreement as a Measure of Flexibilisation of Labour Law - a Comparative Study* at the *XI European Regional Congress of the International Labour and Employment Relations Association (ILERA)* organised at the University of Milan, September 5-11, 2016

lecture entitled *The Collective Agreement as a Measure of Flexibilisation of Labour Law: a Comparative Study* at the conference *Mezinárodní Masarykova konference pro doktorandy a mladé vědecké pracovníky 2016* organised in Hradec Králové, December 12-16, 2016.

As a co-investigator of the research project financed by the National Science Centre in Poland entitled **"W poszukiwaniu prawnego modelu samozatrudnienia w Polsce. Analiza prawnoporównawcza"**, I co-organised a panel entitled *Legal aspects of self-employment* at the international conference ICON•S Mundo, Conference of the International Society of Public Law: The Future of Public Law (July 6–9, 2021; Zoom: online). The panel was devoted to the presentation of partial research results obtained in the framework of the project. I also gave a

lecture entitled *Collective labour rights of self-employed persons: a comparative approach.*

The period before obtaining the Doctor of Law degree

When carrying out an individual **research project entitled "Ciężar dowodu w prawie pracy"** financed by the National Science Centre, I gave the following papers at scientific conferences:

lecture entitled *The Influence of the Court of Justice of the European Union on Shaping the Procedural Standards for Non-Discrimination in Employmen*t at the conference *The Milestones of Law in the Area of Central Europe 2014. Influence of the case-law on the formation of jurisprudence and the influence of jurisprudence on the formation of case-law* organised by the Faculty of Law of the Comenius University, March 27-29, 2014 (on invitation)

lecture entitled *Onus Probandi in Employment Law,* presentation of the doctoral thesis at the world conference *Labour Law Research Network Inaugural Conference* organised at the Pompeu Fabra University in Barcelona, June 13-15, 2013

lecture entitled *Burden of Proof in Employment Law – a Comparative Perspective* at the conference *Irish Society of Comparative Law Fifth Annual Conference "Comparative Public Law"* organised at the National University of Ireland in Galway, May 24-25, 2013

lecture entitled *Research Methods for Employment Law – Study on the Example of the Issue of the Burden of Proof* at the conference *The Milestones of Law in the Area of Central Europe 2013* organised by the Faculty of Law of the Comenius University, March 21-23, 2013 (on invitation)

lecture entitled *Convergence of National Legal Systems – Burden of Proof in Employment Law* at the conference *The Interaction of National Legal Systems: Convergence or Divergence?*, organised at Vilnius University, April 25-26, 2013

lecture entitled *Ciężar dowodu w sprawach o mobbing w Polsce* at the conference *Právní Rozpravy 2013 s podtitulem "Proměny Práva"* organised in Hradec Králové in the Czech Republic, February 4-8, 2013

lecture entitled *Ciężar dowodu w postępowaniu administracyjnym i sądowoadministarcyjnym* at the conference *Współczesne Problemy Wymiaru Sprawiedliwości II* organised by Katolicki

Uniwersytet Lubelski Jana Pawła II – Wydział Zamiejscowy Prawa i Nauk o Gospodarce w Stalowej Woli and Grupa Inicjatywna ze Statusem Obserwatora ELSA Poland, May 28-29, 2012 (plenary session)

lecture entitled *Odpowiedzialność materialna pracowników za mienie powierzone i niepowierzone – rozkład ciężaru dowodu* at the conference *Mezinárodní konference oblasti práva a právních věd – Právní Rozpravy* 2014 organised in Hradec Králové in the Czech Republic, February 3-7, 2014

lecture entitled *Ciężar dowodu w sprawach o dyskryminację w świetle orzecznictwa Trybunału Sprawiedliwości Unii Europejskiej* at the conference *(Nie)równi w pracy. Dyskryminacja w zatrudnieniu* organised at the Faculty of Law and Administration of the University of Lodz, March 21, 2012 (plenary session)

lecture entitled *Interpretacja art. 18^{3B} § 1 Kodeksu pracy w świetle dyrektyw równościowych i orzecznictwa TS UE (na przykładzie spraw Coleman, Feryn, Brunnhofer)* at the conference *Niedyskryminacja w Unii Europejskiej – zasada czy slogan?* (Faculty of Law and Administration of the University of Lodz, April 20-21, 2012) (plenary session)

lecture entitled *Ciężar dowodu w sprawach o mobbing* at the conference *Uczciwy pracodawca-oddany pracownik* (Przemyśl, February 29, 2012) (plenary session)

lecture entitled *Ciężar dowodu w sprawach antydyskryminacyjnych* at the scientific conference *Spotkania Gdańsko-Łódzkie* organised by the Department of Labour Law of the University of Lodz on June 26-28, 2011 at the Faculty of Law and Administration of the University of Warmia and Mazury in Olsztyn (plenary session)

lecture entitled *Metody badania prawa pracy – studium na przykładzie problematyki ciężaru dowodu* given at the National Scientific Conference organised by the Department of Labour Law of the University of Gdańsk (Gdańsk, June 17-19, 2012) (plenary session)

lecture entitled *Ciężar dowodu w sprawach o wynagrodzenie za pracę w godzinach nadliczbowych* given at the National Scientific Conference entitled „Przemiany prawa publicznego i prywatnego na początku XXI wieku" organised by Wyższa Szkoła Ekonomii i Prawa im. prof. Edwarda Lipińskiego in Kielce (September 12, 2012) (plenary session)

lecture entitled *Możliwość zakwalifikowania interesu ekonomicznego jako obiektywnego kryterium uzasadniającego zróżnicowanie pracowników a realizacja zasad równości i sprawiedliwości*; delivered at the 1st National Scientific Conference entitled „Współczesne problemy prawa pracy – kryteria zróżnicowania pracowników" organised in Krakow by the Jagiellonian University and the Krakow Academy, March 14-15, 2013

lecture entitled *Prawno-karne aspekty ciężaru dowodu w prawie pracy;* delivered at the National Scientific Conference entitled „Prawo pracy w systemie prawa. Prawo pracy a prawo karne" organised on April 10-11, 2013 in Lodz by Koło Naukowe Prawa Pracy functioning at the Faculty of Law and Administration of the University of Lodz (plenary session).

Other papers delivered in the period before obtaining the Doctor of Law degree were as follows:

lecture entitled *Z urzędu albo na zarzut – problem uwzględniania przez sąd upływu przedawnienia w polskim prawie pracy na tle regulacji cywilistycznej* at the conference organised by Lesya Ukrainka Volyn National University in Lutsk, Ukraine, March 25-26, 2011 (victory in the competition for the best paper) (on invitation, plenary session)

lecture entitled *Przedawnienie roszczeń a nadużycie prawa podmiotowego w prawie pracy na tle regulacji cywilistycznej* at the conference organised by the Ivan Franko National University of Lviv on May 6-8, 2011 (victory in the competition for the best paper)

lecture entitled *Problem dynamiki tworzenia sądowej kontroli administracji na Ukrainie w kontekście analogicznych procesów zachodzących w innych europejskich państwach dawnego bloku wschodniego* at the conference *The questions of current importance of reforming the legal system of Ukraine* organised in Lutsk, Ukraine, on 4-5 June, 2010

lecture entitled *Civil Service: Systems of Recruitment and Polish Regulations* at the conference *Becoming, Functioning and Development of Contemporary Law System: the Problems of Research and Practice* organised in Odessa, Ukraine on April 23, 2010 (on invitation, plenary session)

lecture entitled *Molestowanie seksualne w pracy – wybrane środki ochrony* at the conference *Prawo a prywatność* organised in Białystok on April 14-15, 2011 (plenary session)

lecture entitled *Ograniczenia zasady prawdy materialnej w postępowaniu cywilnym* at the conference *Współczesne problemy wymiaru sprawiedliwości* organised by Katolicki Uniwersytet Lubelski Jana Pawła II – Wydział Zamiejscowy Prawa i Nauk o Gospodarce w Stalowej Woli, April 18-19, 2011 (plenary session)

active participation in Oxford debates *Unia Europejska rozpadnie się do końca 2013 r.* organised on March 20, 2012 by the European Law Student Scientific Circle of the Faculty of Law and Administration of the University of Lodz

lecture entitled *Odpowiedź polskiego ustawodawcy na kryzys gospodarczy* – delivered at the National Interdisciplinary Conference of Student Scientific Circles organised by the *Ceteris Paribus* Scientific Circle at the Department of Economics of Karol Adamiecki University of Economics in Katowice (January 7, 2010) (plenary session)

lecture entitled *Implementacja niektórych dyrektyw w zakresie równego traktowania dokonana ustawą z dnia 3 grudnia 2010 r.* delivered at the Meeting of European Law Scientific Circles entitled "Unia Europejska – stare problemy, nowe rozwiązania" organised in Zakopane, on April 1-3, 2011, by the European Union Law Section of the Association of Law Students' Library of the Jagiellonian University and the European Law Student Scientific Circle of the University of Lodz.

I also consider **membership in international or national organisations, centres, networks, associations and research circles** to be a significant scientific activity carried out at more than one university or scientific institution, especially foreign one.

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor

From 2016 - a member of the Regulating for Decent Work (RDW) Network (network of the International Labour Organization);

From March 2018 - a member of the Polish Section of the International Society for Labour and Social Security Law;

From 2019 - a member of ICON·S | The International Society of Public Law, New York (40 Washington Square South, New York 10012, United States);

From 2017 - a member of the Program Council of the Centre for Atypical Employment Relations functioning at the Faculty of Law and Administration of the University of Lodz and cooperating with other research centres, including foreign ones; **since 2020 I have been the deputy head of the Centre**;

From 2017 - a member of the Scientific Council and the Management Committee of the Centre for Comparative Labour Law and Social Security Law functioning at the Faculty of Law and Administration of the University of Lodz and cooperating with other research centres, including foreign ones;

2017-2018 a member of the Association of Business Historians (Scotland);

2016-2017 a member of Associazione italiana di studio delle relazioni industriali (Italy);

2019-2020 a member of the Canadian Industrial Relations Association (CIRA) (Canada).

The period before obtaining the Doctor of Law degree (including the period of master's studies)

A long-time active member of the Students Circles functioning at the Faculty of Law and Administration of the University of Lodz and cooperating with other universities:

European Law Student Research Circle;

Students' Scientific Circle of Civil and Commercial Law - Section of Procedural Law;

Labour Law Scientific Circle.

My participation in European projects and programs or other international programs is also a manifestation of significant scientific activity carried out at more than one university or scientific institution, especially foreign one:

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor

University of Manchester, England, June 27-29, 2018. Development Studies Association Funding awarded by *The Development Studies Association 2018 funding committee*; grant funded by *The Journal of Development Studies*.

University of Amsterdam, Amsterdam Institute for Advanced labour Studies (AIAS), The Netherlands, October 24-28, 2016. Research stay in the framework of the project entitled *Migrant women on the labour market - identifying determinants and consequences of labour market inequalities considering the intersection between gender and ethnicity* financed from the European Union's Seventh Programme for Research, Technological Development and Demonstration (FP7/2013-2017), agreement no. 312691.

The period before obtaining the Doctor of Law degree

University of Brescia, Italy, July 16-20, 2012. Research stay as part of one of the ten scholarships for foreigners from around the world and completion of the course entitled *European Law, Competition and Protection of Social Rights* (scholarship funded by the Faculty of Law of the University of Brescia).

Both in the period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor, as well as in the period before obtaining the Doctor of Law degree **I conducted research and held research stays at foreign universities**, which were mostly part of the schedules of my projects, programs and scholarships or were aimed at collecting literature for the preparation of grant applications. My stays included, in particular, substantive consultations with scientists from foreign universities planned under individual grants, including consultations on the subject of a given project and aimed at establishing international cooperation, as well as library queries completed with the preparation of scientific studies (articles, books). The stays most often were combined with active participation in the above-mentioned scientific conferences and in other scientific conferences in which I participated without a paper (with voice in the discussion), e.g.:

scientific conference entitled *Labour Law Research Network Conference 2015* (participation as part of a research stay at the University of Amsterdam, the Netherlands, June 24-28, 2015);

scientific conference entitled *The Future of Work: a Matter of Sustainability* (participation as part of a research stay at the University of Bergamo, Italy, November 9-13, 2016).

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor

Place, date and duration of the stay (the nature of the stays has been described above):

University of Amsterdam, The Netherlands, June 24-28, 2015, own resources.

University of Turin, Italy, October 22-25, 2015, own resources.

University of Turin, Italy, January 14-17, 2016, own resources.

University of Turin, Italy, March 30 - April 3, 2016, own resources.

University of Milan, Italy, September 5-11, 2016, research stay in the framework of the project entitled *The Collective Agreement as a Measure of Flexibilisation of Labour Law – a Comparative Study*.

University of Amsterdam, Amsterdam Institute for Advanced labour Studies (AIAS), The Netherlands, October 24-28, 2016. Research stay in the framework of the project entitled *Migrant women on the labour market - identifying determinants and consequences of labour market inequalities considering the intersection between gender and ethnicity* financed from the European Union's Seventh Programme for Research, Technological Development and Demonstration (FP7/2013-2017), agreement no. 312691.

University of Bergamo, Italy, November 9-13, 2016, research stay in the framework of the project entitled *The Collective Agreement as a Measure of Flexibilisation of Labour Law – a Comparative Study*.

Pompeu Fabra University, Barcelona, Spain, February 8-9, 2017, own resources.

University of Glasgow, Scotland, June 28 - July 1, 2017, research stay in the framework of the project entitled *Handel światowy a prawa pracownicze*.

University of Edinburgh, Scotland, July 2-7, 2017, research stay in the framework of the project entitled *The Effectiveness of Human Labour Rights of Migrant Workers.*

University of London, Institute of Advanced Legal Studies, England, July 8-12, 2017, research stay in the framework of the project entitled *The Effectiveness of Human Labour Rights of Migrant Workers*.

University of Bradford, England, September 3-10, 2017, research stay in the framework of the project entitled *Handel światowy a prawa pracownicze*.

University of Bergamo, Italy, November 29 – December 4, 2017, research stay in the framework of the project entitled *The Fourth Industrial Revolution: New Skills, Occupations, and Methods of Supporting their Development*.

University of Manchester, England, June 27-29, 2018, stay as part of the Development Studies Association Funding awarded by *The Development Studies Association 2018 funding committee*; grant funded by *The Journal of Development Studies*. The Committee highly appreciated the scientific value of my article entitled *The WTO and the ILO: how to build more effective transnational regulatory regimes in order to eliminate global inequalities at work?* and invited me to give a lecture on this subject at the conference entitled *DSA2018: Global inequalities*.

University of Oxford, England, July 2-5, 2018, research stay in the framework of the project entitled *Handel światowy a prawa pracownicze*.

University of Leeds, England, March 31 – April 5, 2019, research stay in the framework of the project entitled *Il lavoro umano nell'ambito delle catene globali del valore: dall'abbigliamento ai palloni da calcio*.

Pontificia Universidad Católica de Chile in Santiago and Pontificia Universidad Católica de Valparaíso, Chile, June 21 – July 5, 2019, research stay in the framework of the project entitled *Il lavoro umano nell'ambito delle catene globali del valore: dall'abbigliamento ai palloni da calcio*.

Université Paris 1 Panthéon-Sorbonne, Paris, France, September 22-28, 2019, research stay in the framework of the project entitled *Il lavoro umano nell'ambito delle catene globali del valore: dall'abbigliamento ai palloni da calcio*.

The period before obtaining the Doctor of Law degree

Place, date and duration of the stay

University of Padua, Italy, July 19-30, 2010, own resources.

University of Brescia, Italy, July 16-20, 2012, research stay as part of one of the ten scholarships for foreigners from around the world and completion of the course entitled *European Law, Competition and Protection of Social Rights* (scholarship funded by the Faculty of Law of the University of Brescia).

Pompeu Fabra University in Barcelona, Spain, June 8-18, 2013, research stay in the framework of the project entitled *Ciężar dowodu w prawie pracy*.

University of Grenoble, Saint-Martin d'Hères, France, January 21-25, 2014, research stay in the framework of the project entitled *Ciężar dowodu w prawie pracy*.

University of Geneva, Switzerland, 27-31 January 2014, research stay in the framework of the project entitled *Ciężar dowodu w prawie pracy*.

University of Turin, Italy, March 13-16, 2014, own resources.

Significant scientific activity includes also **reviewing scientific papers, in particular those published in international journals and publishing houses**. In the period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor, I was a reviewer of scientific papers (books, articles) in the field of labour law in the following scientific journals and publishing houses:

Routledge (British publisher from level II of the list of the Ministry of Science and Higher Education of publishing houses publishing peer-reviewed scientific monographs; 300 points);

The Economic and Labour Relations Review (SAGE journals; included in Journal Citation Reports; 1.571 Impact Factor; 2.399 5-year Impact Factor; 70 points);

Central European Journal of Public Policy (De Gruyter, Sciendo; 20 points);

Bratislava Law Review (Wolters Kluwer / Univerzita Komenského v Bratislave, Právnická fakulta; 5 points);

Pracownik i pracodawca (The Nicolaus Copernicus University Press; 5 points).

In addition, as I indicated above, the following book reviews by my authorship appeared in print:

MATTHEW W. FINKIN, GUY MUNDLAK (red.), Comparative Labor Law. Cheltenham-Northampton 2015, Edward Elgar Publishing, s. xi + 491, Państwo i Prawo 2016, No. 9 and

ANTONIO OJEDA-AVILÉS, Transnational Labour Law. Alphen aan den Rijn, The Netherlands 2015, Kluwer Law International, s. xx + 324, Państwo i Prawo 2015, No. 11.

I would also like to point out that since 2017 I have been a member of the Editorial Board of The Open Science Journal.

As significant scientific activity carried out at more than one university or scientific institution, especially foreign one, I also treat the **constant undertaking and development of international cooperation and participation in research teams carrying out various scientific projects.**

In the framework of the international cooperation, I was a co-initiator of the establishment of three teams to conduct research in the area of discrimination in employment. These activities resulted in three books:

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Różne oblicza dyskryminacji w zatrudnieniu*, Wolters Kluwer, Warsaw 2021 (already published);

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Facets of Discrimination in Employment. International Legal Perspectives*, Routledge: London – New York 2022 (completed and sent for publication);

Joseph Roger Carby-Hall, Zbigniew Góral, Aneta Tyc (eds.), *Discrimination Employment Law. Experiences from Selected Countries*, Routledge: London – New York 2022/2023 (in preparation).

In addition, I took part in the work of the research team headed by Professor Lourdes Mella Méndez from the University of Santiago de Compostela, which resulted in a book published by Routledge (300 points; level II of the list of the Ministry of Science and Higher Education of publishing houses publishing peer-reviewed scientific monographs). The monograph contains a chapter of my authorship:
A. Tyc, *Emerging Skills and Occupations in the Fourth Industrial Revolution: How to Respond to Changing Work Demands?* [in:] Lourdes Mella Méndez (ed.), *Regulating the Platform*

Economy: International Perspectives On New Forms Of Work, Routledge: London – New York 2020.

The book is the result of a research project:

Ministerio de Economía, Industria y Competitividad, Unión Europea. Proyecto de Investigación nacional del MINECO, titulado „Nuevas (novísimas) tecnologías de la información y comunicación y su impacto en el mercado de trabajo: aspectos emergentes en el ámbito nacional e internacional" (DER2016-75376-R).

Ministerio de Economía, Industria y Competitividad. España. Red de Excelencia: Red de estudio y diffusion del impacto de las nuevas TICS en la empresa (DER2017-90700-REDT). Financiación del la Agencia Estatal de Investigación.

The publication was preceded by the presentation and discussion of the team's research results at the international congress entitled *Innovación tecnológica y futuro del trabajo: aspectos emergentes en el ámbito mundial* organised at the University of Santiago de Compostela on April 5-6, 2018. During this event, I gave a lecture entitled *The 4th Industrial Revolution and Occupational Change*.

I also undertook scientific cooperation with the University of the Balearic Islands, which resulted in the publication entitled *La carga de la prueba en el proceso laboral español y comparado*. The article was published in a legal journal in Spain, which is on the list of journals scored according to the Spanish classification „Clasificación Integrada de Revistas Científicas - CIRC. 2º edición 2012":
Aneta Tyc, Adrián Todolí Signes, *La carga de la prueba en el proceso laboral español y comparado*, Revista de Trabajo y Seguridad Social del CEF 2016, No. 396, March.

The second publication resulting from cooperation with the University of the Balearic Islands was published in Poland:
Aneta Tyc, Adrián Todolí Signes, *The need for a platform-specific employment contract in the Uber economy*, Gdańsko-Łódzkie Roczniki Prawa Pracy i Prawa Socjalnego 2016.

6. Presentation of teaching and organizational achievements as well as achievements in popularization of science or art

Since 2010, I have been teaching students, in particular in the field of labour law, at the Faculty of Law and Administration of the University of Lodz. Every year I get excellent results from students' classes quality evaluation questionnaires. In 2020, I created authorial discussion classes in English entitled *Global Trade and Labour Rights*. This initiative was related to my research project entitled *Handel światowy a prawa pracownicze*, financed by the National Science Centre as part of the SONATA project.

I was a supervisor of 15 BA dissertations and 12 MA dissertations, including one in English (entitled *Labour Law as a Factor Influencing Economic Development in Singapore and South*

Korea). Currently, in the framework of my master's seminars, 18 more master's dissertations are being carried out. In addition, I was entrusted with the function of a reviewer of 44 master's dissertations, a member of the commission during 32 undergraduate exams and a recording clerk during several defenses of doctoral dissertations.

In the period before obtaining the Doctor of Law degree, I took part twice in projects entitled *Odpowiedzialność prawna nauczycieli i rodziców w kontekście praw dziecka i ucznia* [*Legal responsibility of teachers and parents in the context of the rights of children and students*] implemented under the grants of the Lodz Education Superintendent by the Voivodship Vocational Education Centre in Lodz (in 2012 and 2013). My participation in the projects consisted in developing authorial teacher education programs and conducting trainings for teachers' councils in primary schools, middle schools and secondary schools in two voivodeships.

In order to raise my qualifications in distance learning, I completed the following didactic trainings:

1. *Jak projektować zajęcia mieszane* [*How to design mixed classes*] (February 8 - 21, 2020),
2. *Pomiar dydaktyczny zadania zamknięte* [*Didactic measurement closed tasks*] (March 27 - April 3, 2020) and
3. *Jak prowadzić zajęcia na platformie edukacyjnej Moodle* [*How to conduct classes on the Moodle educational platform*] (June 1 - 14, 2020)

organised by the Faculty of Educational Sciences of the University of Lodz as part of the project entitled *Doskonałość naukowa kluczem do doskonałości kształcenia* [*Scientific excellence is the key to the excellence of education*] financed by the National Centre for Research and Development.

In the years 2013-2017, I participated in the evaluation teams of two-stage "Knowledge Competitions about Labour Law", which were held annually at the Faculty of Law and Administration of the University of Lodz (I was a co-organiser of the competitions).

In the period before obtaining the Doctor of Law degree, I participated many times (in the role the plaintiff's attorney) in simulations of court hearings organised at the Faculty of Law and Administration of the University of Lodz for children from Orphanage No. 3 "Słoneczna Polana" in Lodz, students of general education schools and students of the Faculty of Law and Administration of the University of Lodz.

In the years 2007-2010, I was volunteering and practicing at the Student Legal Information Point – "Law Clinic – Children's Rights Clinic" of the University of Lodz (during which I completed, among others, a basic course in mediation and two trainings in the field of psychological aspects of interpersonal contacts). In the period before obtaining the Doctor of Law degree, I also completed many other courses, trainings and workshops organised, among others by the European Law Students' Association ELSA Lodz, the Career Office of the Faculty of Law and Administration of the University of Lodz, Deloitte, PricewaterhouseCoopers.

In the years 2009-2014, on the basis of civil law contracts, I prepared didactic materials for the Postgraduate Studies in Labour Law at the Faculty of Law and Administration of the University of Lodz.

My memberships:

from 2020 I am a member of the Council for the Development of Young Researchers of the University of Lodz in the 2020-2024 term of office - advisory body of the Rector of the University of Lodz; I am the chairman of the mobility team and a member of the team for the grant activity of young scientists;

from 2020 I am a member of the Council of the Faculty of Law and Administration of the University of Lodz in the 2020-2024 term of office (previously as a representative of doctoral students);

in the years 2016-2020 I was a member of the Disciplinary Committee for PhD students at the University of Lodz;

in the years 2018-2019 I was a member of the Committee for the Reform of the Fields of Studies (Employment Law - Human Resources and Payroll), Faculty of Law and Administration, University of Lodz;

in the years 2011-2013 I was a member of the Faculty Scholarship and Social Committee at the Faculty of Law and Administration of the University of Lodz.

I developed international and national scientific cooperation by **actively participating in the organisation of scientific conferences**. In the period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor, I held the position of:

scientific secretary of the Organising Committee of the International Scientific Conference entitled *Workers' Representation in Europe: Are There Specific Central and Eastern European Perspectives?* organised by the European Trade Union Institute (Brussels) and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (March 28, 2019, Faculty of Law and Administration, University of Lodz);

secretary of the Organising Committee of the 3rd National Scientific Conference in the series *Nietypowe stosunki zatrudnienia* entitled *Zatrudnienie tymczasowe jako nietypowa forma świadczenia pracy – szanse i zagrożenia* organised by the Centre for Atypical Employment Relations functioning at the Faculty of Law and Administration of the University of Lodz (December 3, 2020, Faculty of Law and Administration of the University of Lodz);

co-organiser of a panel entitled *Legal aspects of self-employment* at the international conference *ICON•S Mundo, Conference of the International Society of Public Law: The Future of Public Law* (July 6–9, 2021; Zoom: online) (the panel was devoted to the presentation of partial research results obtained in the framework of the project financed by the National Science Centre entitled "W poszukiwaniu prawnego modelu samozatrudnienia w Polsce. Analiza prawnoporównawcza");

organiser of a book panel entitled *Book Panel: Aneta Tyc, Global Trade, Labour Rights and International Law: A Multilevel Approach (London and New York: Routledge 2021)* at the international conference *ICON•S Mundo, Conference of the International Society of Public Law: The Future of Public Law* (July 6–9, 2021; Zoom: online) (author's lecture and debate with three invited discussants);

In addition, I participated in the organisation of:

Scientific conference *Gdańsk-Łódź Meetings* organised by the Department of Labour Law of the University of Lodz (June 26-27, 2015, Faculty of Law and Administration of the University of Lodz);

the Sixth Szubert Seminar entitled *The future of labour law*, an international conference organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy, the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz and the French Institute (October 16, 2015, Faculty of Law and Administration of the University of Lodz);

the Seventh Szubert Seminar entitled *Labour protection law - the present day and prospects for development* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (October 21, 2016, Faculty of Law and Administration of the University of Lodz);

the Eighth Szubert Seminar entitled *Social policy and labour law* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (October 20, 2017, Faculty of Law and Administration of the University of Lodz).

As a PhD student at the Department of Labour Law, Faculty of Law and Administration, University of Lodz, I participated in the organisation of the following scientific conferences:

the First Szubert Seminar entitled *The life and work of Professor Wacław Szubert* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (November 26, 2010, Faculty of Law and Administration of the University of Lodz);

the Second Szubert Seminar entitled *The problem of unemployment* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (March 1, 2012, Faculty of Law and Administration of the University of Lodz);

the Third Szubert Seminar entitled *Problems of collective labour agreements* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (November 30 – December 1, 2012, Faculty of Law and Administration of the University of Lodz);

the Fourth Szubert Seminar entitled *Contemporary problems of the pension law* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (December 6, 2013, Faculty of Law and Administration of the University of Lodz);

the Fifth Szubert Seminar entitled *Forty years of the Labour Code* organised by the Department of Labour Law, the Department of Social Insurance Law and Social Policy and the European and Collective Labour Law Institute of the Faculty of Law and Administration of the University of Lodz (November 28, 2014, Faculty of Law and Administration of the University of Lodz);

Scientific conference *Gdańsk-Łódź Meetings* organised by the Department of Labour Law of the University of Lodz (June 26-28, 2011, Faculty of Law and Administration of the University of Warmia and Mazury in Olsztyn);

Scientific conference *Gdańsk-Łódź Meetings* organised by the Department of Labour Law of the University of Lodz (June 21-22, 2013, Faculty of Law and Administration of the University of Lodz).

In addition – as a member of the European Law Student Research Circle – in the period before obtaining the Doctor of Law degree, I co-organised the following scientific conferences:

International Scientific Conference *The European Union after the Treaty of Lisbon - changes and challenges* organised by the European Law Student Research Circles of the University of Lodz and the University of Warsaw (March 26-27, 2010, Faculty of Law, University of Warsaw);

National Scientific Conference entitled *Consumer protection in the light of banking law, advertising law and telecommunications law* organised by the European Law Student Research Circles of the University of Lodz (May 20-21, 2011, Faculty of Law and Administration of the University of Lodz);

Meeting of European Law Student Research Circles entitled *European Union - old problems, new solutions* organised by the European Law Student Research Circle of the University of Lodz (April 1-3, 2011, Zakopane);

Oxford Debates *The European Union will collapse by the end of 2013* organised by the European Law Student Research Circle (March 20, 2012, Faculty of Law and Administration, University of Lodz).

7. Apart from information set out in 1-6 above, the applicant may include other information about his/her professional career, which he/she deems important.

Information on awards for scientific, research, didactic and organisational achievements

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor

2019 an Award for Outstanding Achievements Contributing to the Development of Science for Young Scientists Working on the Terrain of the Łódzkie Voivodeship, awarded by the President of the Polish Academy of Sciences;
2017 a scholarship from the Ministry of Science and Higher Education for eminent young scientists conducting high-quality research and with impressive scientific achievements at the international level (2018-2020);

2017 an individual Award of the Rector of the University of Lodz (second degree) for the monograph entitled *Ciężar dowodu w prawie pracy. Studium na tle prawnoporównawczym*, Wolters Kluwer: Warsaw 2016;

2020 congratulatory letter from the Rector of the University of Lodz on the appointment to the Council for the Development of Young Researchers in the 2020-2024 term of office;

2015 the resolution of the Council of the Faculty of Law and Administration of the University of Lodz on the distinction of a doctoral thesis.

The period before obtaining the Doctor of Law degree

2012 – 2013 three Awards of the Rector of University of Lodz for PhD candidates for organisational achievements;

2013 Scientific Award of the Foundation of the University of Lodz for outstanding achievements in the years 2011-2012 in the area of social sciences;

2014 scholarship from the Ministry of Science and Higher Education for outstanding achievements in the academic year 2013/2014;

2010-2014 during stationary doctoral studies, a winner of doctoral scholarships, and in 2013-2014 scholarships from the earmarked subsidy for co-financing pro-quality tasks, awarded by administrative decision by the Rector of the University of Lodz;

2010-2015 winner of scholarships for the best PhD students of the University of Lodz;

2011 winner of competitions for the best lectures:

lecture entitled *Z urzędu albo na zarzut – problem uwzględniania przez sąd upływu przedawnienia w polskim prawie pracy na tle regulacji cywilistycznej* at the conference organised by Lesya Ukrainka Volyn National University in Lutsk, Ukraine, March 25-26, 2011 (on invitation, plenary session)

lecture entitled *Przedawnienie roszczeń a nadużycie prawa podmiotowego w prawie pracy na tle regulacji cywilistycznej* at the conference organised by the Ivan Franko National University of Lviv on May 6-8, 2011.

Moreover, during my master's studies, I received seven congratulatory letters from the Rector of the University of Lodz.

Information on cooperation with the social and economic environment.
Information on cooperation with the economic sector.

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor
and the period before obtaining the Doctor of Law degree

Since 2013/2014, I have been cooperating with several companies based in Turin as a legal expert and legal and technical translator in the field of 3D design in the maritime, aviation and automotive sectors (Polish, Italian, French, Spanish and English):

from July 2014 to today - seven-year cooperation with the Italian company Turin for Design;
from July 2013 to today - eight years of cooperation with the Italian company M.T.T. s.r.l.;
July 2013 - September 2020 - cooperation with the Italian company N.E.T. - New Engineering Torino S.r.l.;
July 2013 - March 2016 - cooperation with the Italian company TMT Engineering.

Details of the cooperation can be found in the attachments containing the references issued by the companies.

The period before obtaining the Doctor of Law degree

October 2010 - February 2011 – I was employed as a lawyer in a law firm in Lodz.

Information on expert opinions or other studies commissioned by public institutions or entrepreneurs.

The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor
and the period before obtaining the Doctor of Law degree

1. At the request of Turin for Design company based in Turin, I prepared legal expert opinions concerning in particular:

- non-competition during the duration of employment,
- non-competition after termination of employment,
- prohibition of additional work,
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation),
- employment of foreigners,
- Regulation (EC) no 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I),
- implementation of solutions in the field of occupational health and safety,
- anti-bullying procedures,

- anti-discrimination procedures,
- negotiations in the field of software license agreements,
- content of license agreements.

I prepared a report including recommendations for the company Turin for Design on how to conclude transactions and make payments using blockchain technology, bitcoin and smart contracts.

In addition, I was responsible for organising and conducting interviews with candidates for work in Poland and Italy.

2. At the request of M.T.T. s.r.l. based in Turin, I prepared legal expert opinions concerning in particular:

- flexible working hours, telework and job sharing,
- outsourcing,
- limitation of claims for payment,
- limitation of recourse claims,
- the effects of violating the non-competition clause,
- limitation of claims for damages in the event of a breach of the non-competition clause,
- conclusion of employment contracts with foreigners,
- work at night, on Sundays and public holidays,
- organisation of working time,
- conditions for the admissibility of overtime work,
- equivalent for unused leave,
- occupational health and safety.

3. At the request of N.E.T. - New Engineering Torino S.r.l. based in Turin, I prepared legal expert opinions concerning in particular:

- claims for reimbursement of undue benefits,
- flexible working hours,
- work on Sundays, public holidays and at night,
- occasional and permanent teleworking systems,
- contractual penalties for violation of the non-competition clause

and many other.

I was also a co-author of the work regulations and internal regulations of the working group on shaping the remuneration policy. As a member of the working group, I participated in the formulation of recommendations for the company N.E.T. - New Engineering Torino S.r.l. on the principles of granting bonuses, remuneration for better results, bonuses for results, remuneration for work related to the overall performance of the company.

4. At the request of TMT Engineering based in Turin, I prepared legal expert opinions concerning in particular:

- employer representation,
- a determination of the geographic scope of the non-competition agreement,
- the rights and obligations of the parties to the non-competition agreement in the position of a 3D designer,
- expiry of the non-competition agreement,

- liability for damage caused by an employee to a third party,
- employment of Polish citizens as engineers and 3D designers in CATIA, INVENTOR and UNIGRAPHICS programs.

The period before obtaining the Doctor of Law degree

5. In 2011, I was the author of a legal opinion prepared for PGE Górnictwo i Energetyka Konwencjonalna S.A. - Oddział Kopalnia Węgla Brunatnego Bełchatów. It was strictly related to the issue that I dealt with in my master's dissertation prepared at the Department of Labour Law, namely establishing the beginning of the limitation period for claims.

6. October 2010 - February 2011 - I prepared legal opinions as part of my work as a lawyer in a law firm in Lodz.

Scienceometric information

1. Information on the Impact Factor (in the domains and disciplines where this parameter is commonly used as a scienceometric indicator).

In 2017, I published an article in a journal included in the Journal Citation Reports (1.571 Impact Factor; 2.399 5-year Impact Factor; 1.031 Impact Factor in the year of publication; 70 points on the ministerial list, SAGE journals):

Aneta Tyc, *Workers' rights and transatlantic trade relations: the TTIP and beyond,* Economic and Labour Relations Review 2017, Vol. 28, Issue 1.

However, the Impact Factor parameter is not widely used as a scienceometric indicator in the field of social sciences, discipline of legal sciences.

2. Information on the number of citations of the applicant's publications, with a separate emphasis on self-citations.

Google Scholar - 16

3. Information about the Hirsch index.

Google Scholar - 2

4. Information on the number of points of the Ministry of Science and Higher Education.

Scoring according to the announcement of the Minister of Education and Science of February 9, 2021 on the list of scientific journals and peer-reviewed materials from international conferences and the announcement of the Minister of Science and Higher Education of September 29, 2020 on the list of publishing houses publishing peer-reviewed scientific monographs;
publications in publishing houses and journals not included in the ministerial list - 5 points;
scoring does not include publications in print.

Scientific monographs
The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor
400 points

List of chapters published in scientific monographs	
The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor	*The period before obtaining the Doctor of Law degree*
190 points	170 points
Proportionally to the number of co-authors	
166,6 points	160 points

Editing of scientific monographs
The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor
20 points
Proportionally to the number of co-editors
6,6 points

List of articles in scientific journals	
The period between obtaining the Doctor of Law degree and submitting the application for conducting the procedure for awarding the degree of habilitated doctor	*The period before obtaining the Doctor of Law degree*
1160 points	1005 points
Proportionally to the number of co-authors	
1065 points	754,2 points

Aneta Tyc
(Applicant's signature)