On call-duty of medical Professionals – Changing the Paradigm of its Assessment as a Results of new Decisions of the Court of Justice of the European Union

M. Svec (Marek Svec)[1], P. Meszaros (Peter Meszaros)[2], J. Horecky (Jan Horecky)[3]

[1] Faculty of Law, Matej Bel University in Banská Bystrica, Banská Bystrica
[2] Faculty of Law, Trnava University in Trnava, Trnava
[3] AMBIS college, a.s., Prague/Brno

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E-mail address:

msvec@umb.sk

Reprint address:

Marek Svec
Komenskeho Str. 20
974 01 Banska Bystrica
Slovakia

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Reviewers:

Michael Costello
University of scranton school of education, USA
Selvaraj Subramanian
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Abstract:

Background: New court decisions of the Court of Justice of the European Union change the paradigm of assessing on-call duty outside the workplace for healthcare workers so that it can be considered working time in certain circumstances despite the current wording of Section 96 of the Labor Code. The transposition of the conclusions of certain court decisions into the Labor Code would significantly contribute to the improvement of the working and wage conditions of healthcare workers.
Objectives: The primary goal of the paper is to identify, thoroughly assess, and organize the fundamental theoretical and legal principles behind the judgments rendered by the Court of Justice of the European Union, along with decisions from

national courts concerning the concept of working hours, particularly on-call duty. This objective aimed to highlight a potential shift in how working time is evaluated.
Methodology: We conducted a search and retrieved national and European court decisions, encompassing 43 judgments from the Court of Justice of the European Union and 22 from national courts. This process involved using the CURIA system, as well as the search systems provided by the Ministry of Justice in both Slovakia and the Czech Republic, including commercial databases housing court decisions and legal rulings (APSI, Judikaty.info)
Results: We identified two categories of Court of Justice of the European Union rulings, which were subsequently mirrored in national court decisions. Both sets of decisions examined the evaluation of on-call duty (employee staying outside the workplace), but they diverged in their interpretation of whether it qualified as working time. If an employer mandated that an employee on on-call duty (staying outside the workplace) must be ready to report to work within a specific timeframe (e.g., 20 minutes) if required for work duties, this represents a limitation on the employee's freedom to manage their leisure time to such an extent that this period could be considered part of the employee's working hours.
Conclusion: Based on recent judicial decisions by the Court of Justice of the European Union, it can be inferred that Section 96 of the Labor Code, which does not categorize on-call duty if an employee stays outside the workplace as working time, contradicts Directive no. 2003/88/EC. Given a comprehensive examination of the case's circumstances and an evaluation of the impact on the employee's off-duty rest periods, if the employee is deprived of the autonomy to manage their leisure time at their own discretion due to the employer's specific instructions during off-site on-call duty, this time period may also qualify as working time.

Introduction

Working hours, as well as salary-related concerns, rank among the most prominent labor law issues confronting healthcare professionals. The Slovak Act No. 311/2001 Coll., known as the Labor Code, as amended (hereinafter referred to as "LC"), not only addresses the permissibility of extending a healthcare worker's weekly working hours beyond the standard average defined in Section 85, paragraph 5 of the LC, up to a maximum of 56 hours per week in Section 85a of the LC but also inconsistently regulates the legal framework regarding on-call duty (primarily concerning the expected provision of emergency services by medical personnel) in Section 96 of the LC. This establishes a unique Slovak approach to the classification of on-call duty. The Slovak LC, as outlined by Žuľová in 2021, differentiates between on-site on-call duty on-site on-call duty. Simultaneously, it defines the characteristics of on-site on-call duty on-site on-call duty as working time in the manner explained below. This has a dual effect: it substantially diminishes labor law protections for healthcare workers concerning the inclusion of this time in their working hours, while also leading to variations in the amount of wage benefits provided. Additionally, it has a noteworthy impact on how

healthcare workers can allocate their designated rest periods while on on-call duty (Rak et al, 2021). Another issue arising from this model is the evasion of the current law in Section 96 of the LC, which goes against the Court of Justice of EU's decisions. It occurs when employers ask medical workers to register their on-site on-call duty as off-site on-call duty in the attendance system (Dušeková Schuszteková, 2021), because off-site on-call duty is not included in the work time and the employer thus complies with the average permissible range of work time according to Section 85a of the LC (Barancová et al., 2017). The same situation also happens with split work shifts or when the employer excludes the regular breaks for meals and rest from the work time, while the employees have to remain at the employer's premises and be prepared to work when called. The incorrect assessment of on-call duty as a rest period, or of work time, will have consequences on the records of work time according to Section 99 of the LC and on the employees' wages, which may lead to a labor law sanction by the labor inspectorate according to Section 7 par. 3 of Act No. 125/2006 Coll. on labor inspection and amendment of Act no. 82/2005 Coll. on illegal work and illegal employment as amended.

The remedy for the issues discussed can be clearly discerned in recent court rulings from the European Union's Court of Justice. These rulings, derived from various cases involving healthcare workers, have reached the verdict that on-call duties performed off-site should not be considered as rest periods for the employee, aligning with the regulatory framework outlined in Section 96 of the Labor Code (LC). When taking the specific circumstances of individual cases into account, it becomes evident that this time should unequivocally be categorized as working hours. As such, it should be included in the employee's average weekly working hours, accompanied by the provision of corresponding wage benefits, along with ensuring the continuity of daily and weekly rest periods as stipulated in Sections 92 and 93 of the Labor Code (LC) (Barancová et al., 2019). Consequently, it is imperative for the Slovak legislator to promptly incorporate these court rulings into the legislation of the Slovak Republic, thereby contributing to the enhancement of working conditions for healthcare workers.

Goal

The primary aim of this paper is to underscore the disparity between the national labor law regulations governing a fundamental labor law concept pivotal for enhancing the working conditions of healthcare professionals and the prevailing legal framework on a transnational scale established by Directive no. 2003/88/EC concerning certain aspects of working time, as supplemented by the rulings of the European Union's Court of Justice. The identification of recent pertinent court decisions, particularly at the European Union's Court of Justice level, notably enhances the labor law protection afforded to healthcare workers. Conversely, the failure to acknowledge this new legal status in national labor legislation evidently results in adverse consequences, negatively impacting the health and the private lives of healthcare workers (Madleňák et al., 2019). Consequently, healthcare workers have the opportunity to directly assert their rights under Directive no. 2003/88/EC, to the extent that it can be deduced that the Directive and the intent of the relevant provisions contradict the legal framework outlined in Section 96 of the Labor Code. This implies an immediate inclusion of this category of on-call duty within working hours, subject to the fulfillment of the specified conditions.

Methodology

The chosen set of examined court rulings primarily encompassed 43 decisions from the European Union's Court of Justice, owing to the legal foundation provided by Directive no. 2003/88/EC concerning specific aspects of working time. This legal framework is further enriched by the jurisprudence of the Court of Justice of the European Union, from which national court decisions subsequently emanate. The selection of analyzed court decisions, forming the basis for the legal sentences and conclusions presented later, was made with careful consideration of their relevance to the evaluation of Art. 22 of Directive no. 2003/88/EC regarding certain as-

pects of working time. Additionally, they were chosen in relation to Art. 2, point 1 of Directive no. 2003/88/EC, which provides the fundamental definition of on-call duty. National court decisions were subsequently selected to maintain relevance concerning the assessed issue and to align with the jurisprudence of the Court of Justice of the European Union. The search procedures relied upon the European CURIA system, as well as the search systems of the Ministry of Justice in the Slovak Republic and the Czech Republic, which included commercial sources containing court decisions and legal verdicts (APSI, Judikaty.info). With regard to scientific methodologies, the authors harnessed the wealth of scientific knowledge present in their publications, with a distinct emphasis on the subject under examination. The exploration of this topic necessitated the employment of qualitative techniques, with particular attention given to methodologies rooted in the field of legal science. These included content analysis, specifically directed toward document and data assessment, alongside descriptive, inductive, and deductive approaches. The paramount scientific method employed was critical analysis. The content analysis primarily revolved around the scrutiny of labor law documentation maintained by employers, with whom the authors interacted during their professional engagements, particularly when formulating employee obligations related to on-call duties.

The Results

On-call duty refers to a period of time, as determined by the employer or agreed upon with the employer, during which the employee remains present at the workplace or at another mutually agreed location, ready to perform tasks. It falls outside the regular work shift schedule (as per Section 90 of the LC) and extends beyond the stipulated weekly working hours established in the predetermined work schedule (as per Section 85, paragraph 8 of the LC). The Labor Code (LC) distinguishes between two types of on-call duty: passive on-call duty where the employee is prepared for work but does not actively engage in tasks (whether at the workplace, in which case it is classified as working time, or outside the workplace, which is considered as rest time), and active on-call duty where the employee actively performs tasks, thus constituting overtime work. The Labor Code permits the arrangement and agreement of on-call duty only in warranted situations, ensuring the employer's essential responsibilities or those stemming from the agreed-upon nature of the employee's role, such as medical staff expected to be on on-call duty.

In a broader context, it is imperative to examine on-call duty within the context of the aforementioned Directive, where a precise timeframe definition is pivotal, categorizing it as either working time or rest time. The legal framework does not permit any other interpretation; it strictly adheres to one of these options. In essence, the Directive under consideration does not place restrictions on arranging on-call duty during an employee's rest period. However, a teleological interpretation suggests the practical impossibility of negotiating or designating working hours for a period that should legally constitute working time for the employee.

On-call duty can only be mandated or agreed upon for tasks specified in the employment contract. The Labor Code (LC) distinguishes between on-call duty at the workplace and outside of it. The essence of on-call duty lies in the extension of the employer's authority over the employee even beyond the regular working hours, along with the employee's obligation to adhere to the employer's instructions (Horecký, 2019). For the purposes of Section 96 of the LC, the workplace is described as a location where the employer exercises its discretionary control (e.g., premises owned, leased, or under the employer's authority) in connection with the employer's capacity to issue work instructions to the employee (Švec et al., 2023).

The primary issue under consideration revolves around Section 96, paragraph 4 of the Labor Code (LC), which presupposes that the period during which the employee remains at a designated location outside the workplace, ready to work but not actively engaged in it, is categorized as passive on-call duty. This period is considered to be the employee's rest period regardless of the employer's possible instructions or restrictions that the employee has to endure during this period and is limited in his rights

to use this "rest period" after work (Olšovská, 2019). This issue does not arise when assessing on-call duty performed at the workplace as working time; in this regard, the jurisprudence of the Court of Justice of the European Union provides relatively clear guidance. The Court of Justice of the EU has addressed the assessment of on-call duty in various cases (Olšovská et al., 2014). Several pertinent court decisions substantiate the stated legal premise, including the European Union's Court of Justice's case C-303/98 SIMAP: *"3. Doctors serving in primary health care teams during on-call shifts should have the entirety of their on-call time recognized as working hours and, if necessary, as overtime under the framework of Directive 93/104, particularly when they are mandated to be present at a health center. If their on-call responsibilities entail being accessible for communication exclusively, then only the time spent actively delivering primary health care services should be designated as working time"*; the European Union's Court of Justice's case C-241/99 CIG v. Sergas: *"3. The time spent on call by doctors and nurses serving the Servicio Galego de Saúde, wherein their physical presence is required, whether in primary care teams or other services addressing external emergencies in the Autonomous Community of Galicia, must be regarded as working time in its entirety. Additionally, where applicable, it should be classified as overtime within the scope of Directive 93/104.";* the European Union's Court of Justice's case C-151/02 Jaeger: *"Council Directive 93/104/EC of 23 November 1993 on specific aspects of working time organization should be interpreted to mean that the on-call duty, referred to as "Bereitschaftsdienst," carried out by a doctor under circumstances requiring physical presence in a hospital, must be entirely regarded as working time in line with the directive's definition. This remains the case even when the person in question is entitled to rest while at the workplace during periods when their services are not required. Consequently, any legislation within the Member State categorizing the worker's inactive intervals during on-call duty as rest time is in conflict with this Directive."*; European Union's Court of Justice's case C-14/04 Dellas, joined cases C-397/01 to C-403/01 Pfeiffer, C-437/05 Vorel: *"The Council Directive 93/104/EC of 23 November 1993 addressing particular elements of working time organization, as amended by Directive 2000/34/EC of the European Parliament and the Council, as well as Directive 2003/88/EC of the European Parliament and the Council concerning particular elements of working time organization, should be understood to imply that:*

- *conflicts with the laws of a member state, which stipulate that the on-call duty carried out by a doctor with a requirement for physical presence at the workplace, but without any active tasks, is not entirely categorized as "working time" in line with the aforementioned directives,*

does not oppose a member state's implementation of legislation that, concerning the worker's compensation perspective and in relation to on-call duty performed by the worker at the workplace, differentiates between the periods of active on-call duty and passive on-call duty. This differentiation is acceptable, provided that the legislation as a whole ensures the effective protection of workers' rights as granted by these directives, particularly in terms of health and safety".

In the case of C-14/04 Dellas, the EU's Court of Justice reiterated essentially all of its findings, which are essential for the legal interpretation outlined in this paper. This is because, as per the EU's Court of Justice, the Directive defines the term in question as any period during which the worker is at the disposal of the employer and fulfills their duties in accordance with national laws and/or customary practices. It is crucial to understand this term as being in direct contrast to rest time, as both terms are mutually exclusive, as expounded in Madleňák, 2016. Directive 93/104 neither establishes an intermediate category between working time and rest time nor considers the intensity of the employee's work or their performance as essential aspects of the concept of working time, as outlined in point 43. The fact that on-call duty may involve periods of inactivity is entirely irrelevant in this context, as evidenced by the EU's Court of Justice's ruling in case C-303/98 SIMAP, point 47. In line with established jurisprudence, even

when periods of inactivity are encompassed in on-site on-call duty, it's important to recognize that unlike regular working hours, the need for essential interventions cannot be pre-planned during this service. Furthermore, the nature of the activities performed may vary depending on the circumstances. The crucial determinant for evaluating whether the defining characteristics of "working time" in accordance with Directive 93/104 (a precursor to Directive No. 2003/88/EC) are met during on-site on-call duty, is the requirement for the worker to be physically present at the location designated by the employer and to be readily available to provide immediate and appropriate services if necessary (Toman, 2014). Consequently, these responsibilities should be regarded as an integral part of the worker's duties (refer to the EU Court of Justice case C-303/98 Simap, point 48, as well as the EU Court of Justice case C-151/02 Jaeger, points 49 and 63) (point 48) (Toman, 2015).

Discussion

Based on the legal framework mentioned above, upon which the EU's Court of Justice relies when evaluating on-call duty at the workplace, characterized by adherence to the employer's work instructions, it becomes clear that this same legal approach has started to emerge in its jurisprudence concerning on-call duty outside the workplace when the employee is bound by the employer's work instructions. The critical determining factor is the employer's insistence on employee showing up at the workplace within a specific timeframe (e.g., within minutes or tens of minutes) and commence work. In this context, the EU Court of Justice regarded such a restriction on the employee's freedom as equivalent to on-call duty at the workplace. In essence, the EU's Court of Justice assessed the nature of the time spent on on-call duty outside the workplace with regard to the employee's ability to fully utilize it. In the case C-518/15 Matzak, the EU's Court of Justice addressed the question of whether Article 2 of the Directive pertaining to specific aspects of working time should be construed to mean that *"the time a worker spends on on-call duty at home with the duty to respond to their employer's call within 8 minutes, significantly impinging on their capacity to engage in other pursuits, should be categorized as 'working time'."* The European Court of Justice affirmed that *"Article 2 of the Directive regarding specific aspects of working time should be understood to imply that on-call time spent by the worker at home, with the obligation to respond to their employer's call within 8 minutes, which substantially restricts their ability to engage in alternative activities, should indeed be classified as 'working time'."* (A similar interpretation can be found in Glowacka, 2021.).

The Court of Justice of the EU's decision in the case C-518/15 Matzak, was followed by similar legal conclusions in subsequent jurisprudence of the Court of Justice of the EU, such as the case C-344/19 D.J. v. Radiotelevizija Slovenija. *"Article 2 point 1 of Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 on certain aspects of the organization of working time should be understood to mean that on-call time, where the worker is continuously available, only needing to be reachable by telephone and, when necessary, to arrive at the workplace within an hour, and is allowed to reside in the employer's provided accommodation near the workplace but is not compelled to stay there, qualifies as working time in its entirety according to this provision. This is contingent upon an overall evaluation of all circumstances, particularly the consequences of this time period, and potentially the regularity of interventions during this period, revealing that the constraints imposed on the worker significantly and objectively impede their ability to freely manage the time when they are not engaged in work and allocate it to their personal pursuits."* Sagan (2019) further highlights analogous legal conclusions found in the ECJ case C-580/19 Stadt Offenbach am Main. In this case, it is similarly asserted that Article 2 point 1 of Directive 2003/88/EC of the European Parliament and of the Council dated 4 November 2003 concerning specific aspects of work organization should be construed to signify that on-call duty, characterized by continuous availability, during which the worker must be capable of reaching the city borders where his service department is located, wearing his emergency uniform and utilizing the employer-provided

official vehicle with the associated exemptions to the Road Traffic Act and the right of priority attached to this vehicle, within a span of 20 minutes, qualifies as "working time" in its entirety as defined in this provision. This holds true only when the overall evaluation of all the circumstances surrounding the situation, particularly the consequences of this timeframe and potentially the regularity of interventions during this timeframe, demonstrate that the limitations imposed on this worker during this period are of such a nature that they objectively and significantly hinder the worker's ability to freely manage the time when he is not obliged to perform work, and to dedicate this time to his personal interests. Alhambra et al. (2019) also draw attention to the foundational principles subsequently reflected in case C-214/20 MG v. Dublin City Council: *"Article 2 point 1 of Directive 2003/88/EC of the European Parliament and of the Council dated 4 November 2003 concerning specific aspects of the organization of working time should be construed to mean that on-call duty in the form of continuous availability, maintained by a reserve firefighter, during which this worker, with the consent of the employer, is self-employed, but in the event of an emergency call must reach the designated fire station within a maximum of ten minutes, does not fall under the category of "working time" as defined in this provision. This is the case if, based on a comprehensive evaluation of all circumstances in the discussed situation, especially considering the extent and manner in which the worker can engage in other gainful activities, and the fact that he is not obligated to participate in all interventions organized by this fire station, it can be deduced that the constraints placed on the worker during this period are not of such a nature as to significantly and objectively impede the worker's ability to freely allocate the time when he is not obliged to provide the professional service of a reserve firefighter."*

In a broader context, it is feasible to observe in the aforementioned court rulings the adherence to the principle of employer's directive authority as delineated by the EU's Court of Justice in case C-266/14 Federación de Servicios Privados del sindicato Commissions obreras (paragraphs 35 and 36). The concept of directive authority, as interpreted in the mentioned court judgment, pertains to a scenario wherein the employee is legally obligated to obey their employer's instructions and perform tasks for them, consequently leading to the satisfaction of the legal criteria for defining working hours as per Article 2 of Directive No. 2003/88/EC concerning certain aspects of the organization of working time.

Based on the legal principles and court rulings that determine whether on-call duty counts as working time or rest time, and how on-call duty is defined in Slovakia, we can also look at the national labor laws, case law and legal opinions of the Czech Republic, which has a similar labor system. The Constitutional Court of the Czech Republic, in its decision of 18 October 2021 (file reg. no. II. ÚS 1854/20), also examined the issue of on-call work duty, relying mainly on the Charter of Fundamental Rights and Freedoms and the right to fair remuneration that it guarantees. The Czech labor laws define on-call duty as a time outside the employee's work schedule, where the employee can perform on-call duty outside the employer's workplace. The evaluation of on-call duty that is done only and solely outside the employer's workplace depends on how much the employer can control the employee and how much the employee has to follow the employer's instructions, especially in terms of time (i.e. how much the employee's freedom to plan and use their rest time and their social and private life are affected).

The Slovak provision Section 96 of the LC, which reflects the case law of the Court of Justice of the EU, differs from the Czech labor legislation, which regulates on-call duty based on a mutual agreement between the employee and the employer (not an order, as in the Slovak case – Section 96 of the LC) and defines its place of performance always outside the regular workplace of the employer (see Section 78, paragraph 1, letter h) and Section 95 of the Czech Labor Code).

Conclusion

All the decisions in question go against the rule set out in Section 96 of the LC, which differentiates on-call duty at the workplace and outside the workplace from the point of view

of qualification whether on-call duty is working time or not. The Court of Justice of the EU states that all the case circumstances should be taken into account and the degree of interference with the employee's rest time and free time should be assessed, and that this interference should be significant and objectively affect the possibility of managing free time. Slovak law seems to automatically consider that any on-call duty outside the workplace is a rest period. However, the EU Directive only recognizes the concept of working time and rest periods, not on-call duty. But the court decisions of the Court of Justice of the EU mentioned above show (and influence the interpretation of Slovak law, which must comply with EU law and be interpreted in line with EU law) that on-call duty outside the workplace is also working time, not rest periods. As mentioned before, the Court of Justice of the EU says that all the case circumstances should be considered and the level of disruption to the employee's rest time and free time should be assessed, and that this disruption should be significant and objectively affect the ability to use free time. Until the Slovak legislator changes Section 96 of the LC according to the court decisions in question, every healthcare professional has the right to ask for a similar assessment in their case, probably via a question to the Court of Justice of the EU for a preliminary ruling (Kupec et al, 2020).

Regarding the legal argumentation above, the Slovak legislator can take inspiration from the Czech approach to regulating on-call duty, which already fully follows the approach of the Court of Justice of the EU.

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References

1. ALHAMBRA, M. A. G., HIESSL, Ch. (2019) The Matzak judgment of the CJEU: The concept of worker and the blurring frontiers of work and rest time. *European labor law journal.* 2019; 10 (4): 343-352.
2. BARANCOVA, H. et al. (2017) *Labour Code. A Comment.* Bratislava: C.H.Beck. 2017. 1520 p. ISBN 978-80-89603-53-4.
3. BARANCOVA, H. et al. (2019) General provisions. First part. In *Labor Code,* 2019; p. 111-439. ISBN 978-80-89603-78-7.
4. DUSEKOVA SCHUSTEKOVA, S. (2022) *Invalid termination of employment.* Bratislava: Wolters Kluwer SK, 2022. 76 p. ISBN 978-80-571-0443-8.
5. GLOWACKA, M. (2021) A little less autonomy? The future of working time flexibility and its limits. *European labor law journal.* 2021; 12 (2): 113-133.
6. HORECKY, J. (2019) *Dispositional authority of employer.* 1st ed. Prague: Wolters Kluwer CR. 2019. 128 p. ISBN 978-80-7598-255-1.
7. KUPEC, V., LUKAC, M., PISAR, P., GUBINIOVA, K. (2020) Increasing Personnel Competencies in Museums with the Use of Auditing and Controlling. *Sustainability.* 2020; 12 (24).
8. MADLENAK, A., ZULOVA, J. (2019) *The right to privacy in the context of the use of social media and geolocation services.* Budapest: Wolters Kluwer Hungary. 2019. 147 p. ISBN 978-963-295-900-9.
9. MADLENAK, A. (2016) Development of human resources as a prerequisite for doing socially responsible business. *Socio-economic review.* 2016; 14 (2): 12-20.
10. OLSOVSKA, A., BARANCOVA, H. (2014) Working time in Slovakia. In *Implementation and enforcement of EU labor law in the Visegrad countries,* 2014; with. 212-226. ISBN 978-80-244-4026-2.
11. OLSOVSKA, A. (2019) *Curiosities and novelties of the Slovak Labor Code.* In Reflections on the future development of labor legislation*,* 2019; p. 5-18. ISBN 978-80-87975-97-8.
12. RAK, P., CIEFOVA, M. (2021) *Legal and linguistic specifics of the employment contract in the context of labor market development. International relations 2021: Current*

issues of the world economy and politics: collection of scientific papers from the 22nd international scientific conference. 2021; p. 595-603. ISBN 978-80-225-4904-2.
13. SAGAN, A. (2019) The classification as ‘ worker ‘ under EU law. *European labor law journal.* 2019; 10(4): 353-361.
14. SVEC, M., TOMAN, J. et al. (2023) *Code. Collective Bargaining Act. Comment.* 2nd, supplemented and revised edition. Bratislava: Wolters Kluwer. 2023. 2776 p. ISBN 978-80-5710-584-8.
15. TOMAN, J. (2015) *Individual labor law. Working hours, holidays, obstacles to work and wages.* Bratislava: Friedrich Ebert Stiftung, representation in SR. 2015. 368 p. ISBN 978–80–89149–46–9.
16. TOMAN, J. (2014) *Individual labor law. General provisions and employment contract.* Bratislava: Friedrich Ebert Stiftung. 2014. 391 p. ISBN 978–80–89149–42–1.
17. ZULOVA, J. (2021) *Selection of employees: legal pitfalls of filling jobs.* Bratislava: Wolters Kluwer. 2021. 120 p. ISBN 978-80-571-0324-0.