DOCTORAL SCHOOL OF LAW, POLITIC AND ADMINISTRATIVE SCIENCES OF THE CONSORTIUM OF EDUCATIONAL INSTITUTIONS ASEM and USPEE

As manuscript:
U.D.C. 349.2(043.2)=111

GAMUREAC ALEXANDRU

NORMATIVE AND DISPOSITIONAL ACTS APPLICABLE TO THE LEGAL EMPLOYMENT RELATIONS IN THE UNIT

553.05 –THE LABOR AND SOCIAL PROTECTION LAW

The summary of the doctoral dissertation in law

CHIȘINĂU, 2021

The dissertation was elabor ated within the Doctoral School of Law, Politic and Administrative Sciences of the Consortium of Educational Institutions ASEM and USPEE.

Scientific advisor:

_____ROMANDAȘ, Nicolai, Doctor of Law, university professor

Doctoral committee:

1.MIHALACHE, Iurie – habilitate Doctor of Law, university lecturer – President;

2.ROMANDAȘ, Nicolai – Doctor of Law, university professor – doctoral advisor;

3.BOIȘTEANU, Eduard – habilitate Doctor of Law, university professor – opposing member;

4.MACOVEI, Tatiana – Doctor of Law, university lecturer - opposing member;

5.PĂSCĂLUȚĂ, Felicia - Doctor of Law, university lecturer - opposing member;

The dissertation will take place (*date and time)* within the

The doctoral dissertation and the summary can be consulted at the Academy of Economic Studies of Moldova (ASEM) and University of European Economic Studies „Constatin Stere" (USPEE) library and web-page of ANACEC.

The summary was sent on (*date and year)*

The secretary of the doctoral committee:

_____Name, surname, Doctor of Law, university lecturer

Author:

_____ GAMUREAC, Alexandru.

CONTENT:

1. THE CONCEPTUAL HIGHLIGHTS OF THE RESEARCH

The relevance and the importance of the approached matter. Today, the structure of labor turned into an extremely complicated burden for all of the economic agents in the Republic of Moldova, owing to the presence of various issues which the management of human resources implies. In regard to all the issues involved in the management of human resources, we can note that these, in all its reflections, involve a significant amount of legal acts, which are necessary to be present in the sphere of legal employment relationships, which can be divided into two broad categories: legal acts mandatory on the determination of the legal employment relationship, as well as individual ones, the latter being present in the legal circuit of the unit following the reflection of the employer's wishes and initiative.

For the category of individual legal acts, we note that according to the legislative framework of local work, these are established in the provisions of article 10, paragraph 1), letter e) from the Labor Code of the Republic of Moldova, which states - *internal legislative laws that the employer is entitled to issue at level unit.*

This exact category of legal acts, which is applicable reffering to the relationships of work is capable to offer the employers that goal in the procedures of work establishment that they desire to initiate and to have them settled in the most practical and appropriate manner to all questions raised at the level of the economic unit in the field of work.

The presence of possibility of emitting internal normative acts by an employer, being secured through the provisions of article 10, paragraph (1), letter (e) from the Labor Code of the Republic of Moldova, provides nothing but an influence of the moldovan legislator, marked through the modernization nature of the essence of labor law that took place in the Republic of Moldova in 2003 alongside the new Labor Code of the Republic of Moldova. Therefore, being one of the legal possibilities of the employer to be involved individually in the sphere of legal relationships of employment by means of a legal tool recognized by the legislator, as the one of internal normative legislation of some of the deparments from the sphere of legal employment relationships, noting that this time, such an approach requires to be looked at as well as a legal entity of labor law, titled as the institute of regulatory acts of a unity that are emitted by the employer.

The need and the possibility for the employer to address some aspects of wage labor , by means of the measure of internal normative regulation of some questions within the legal employment relationship, we can accurately note that the legal institution of the internal laws of the unit, taking into account the connections, the subject matter and methods it contains are a particularly fluent legal instrument capable of resolving a variety of questions in the sphere of legal employment relationships at the internal level of the unit.

An important matter for the practice of labor law, which increase the value of internal normative acts of the institution that the employer can issue at unit level, constitutes the possibilities of interconnection of the named institution with other labor law institutions.

The subject of the possibilities and benefits that the measure of interconnection of the institution of internal normative documents issued by the employer at unit level with other institutions of labor law can bring, so far in the doctrine of local labor law remains in the shadow. Having a variety of concrete objectives as foundation and taking into consideration the strong interest of the said subject, it has finally succeeded in outlining a multispectral research, intricate and premiere for the doctrine of the moldovan labor law of the institution of internal normative acts that the employer can issue at the level unit.

As for the issue of internal normative regulation, which is carried out by the employer, when ordering parts that come from the legal employment relationships established at the level of the economic unit, we can stress that such a legal operation can exclusively be carried out by the employer, because of the disposition with which such a legal institution is originally characterized with. Therefore, the employer being the guarantor of working conditions, its character or reflection of his power in such questions plays an imposing role, due to the appearance of the cases at hand and the problems of the socio-legal working life carried out at the level of economic unity.

As well as in the case of other subjects relating to the institution of internal legislation issued at unit level by the employer, the general image of the internal regulatory aspects of some compartments in the area of legal employment relationships, so far in the local specialized doctrine, it did not have a proper investigation, but a minor one. One such finding is proven by the effect of uncertainty among practicioners that promptly expressed their ideas of some subjects reffering to the problem of the internal normative regulation by the employer, and some of the strict problems from the area of legal employment relationships.

The uncertainty of labor law practitioners can often be regarded as well as a well-founded one, because indeed some parts of legal employment relationships in the sense of their internal normative regulation at unit level (establishment of non-tariff remuneration system, staff policy, labor discipline, the financial and non-financial motivation of employees, safety and health at work, individual documentation of employment relationships, etc.) may arise some questions which cannot be met in legislation or regretfully, in the specialized doctrine. Thus, due to the presence in the practice of employment relationships of a massive number of issues on which the employer has to pronounce individually, we consider that the possibility of the employer has been provided by the legislator, guaranteed to him in the field of work in the form of his right to issue internal laws at the level of the unit.

As a tool recognized by the legislator, we report that the right of the employer to issue internal legislation at the level of unit, requires it to be regarded as a distinct legal institution of labor law, because the legal coverage and possibilities of its practical appearance that at present cannot be underestimated.

Taking into account that the institution of the internal normative acts of the unit, which the employer may issue in accordance with Article 10, paragraph (1) letter (e) from the Labor Code of the Republic of Moldova, is capable of ensuring correctness, consistency and at the same time systematic and legal-economic order in the organization and documentation of employment relationships at the level of the unit in all their aspects, we stress that this needs to be studied and, respectively, be particularly well known by the specialists, notably the aspects that include: a) extension of the employer's right to issue internal legislation to the level of the unit; b) definition of the device nature of the employer's right to issue internal legislation at the level of the unit; c) legal nature; d) the forms and features of the legal presentation of the internal rules that are issued at unit level by the employer, and others.

In our opinion, knowledge of such questions arising from the problems involved in the institution of the internal laws of the unit in its practical way would become a complex of knowledge that is particularly useful not only to labor law practitioners but also to the entire legal community. This view is taken from the fact that knowledge of the practical implementation of the employer's internal legislation in the employment relationship also implies the need to know a particularly broad spectrum of disciplines, including: legal, economic, management, which makes labor law one of the most progressive branches of the law.

We also consider that, as one of the most dynamic branches of law, labor law is increasingly becoming a branch of law in which the individual arrangements between employers and employees take precedence, as well as the employer's individual internal rules, which are also referred to as one-sided, that employers introduce into the legal-formal employment relationship circuit on the basis of the provisions of Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova.

If we appreciate such an approach, we can clearly mention that in the current realities of employment relationships it is particularly relevant and even fair, because working conditions, work organization and other aspects specific to the workplace cannot be compared to those of the past. As work nowadays increasingly involves a high degree of intelligence of the human resource, and therefore addressing the people in work now implies that new working methods need to be used by the employer, who are legally recognized requires to be presented at the level of the unit through the institution of internal laws issued by the employer.

Moreover, given that the employer in employment relationships is intended to direct all persons and processes undertaken at the level of economic unity, we maintain that one of its first bonds is that it is his obligation - *to organize work at unit level*, what we consider to be one of the most complicated tasks that the leaders of economic units can face, but as it is not impossible to achieve it, we are claiming that without it being applied to the institution of internal normative acts of the unit, the employer will not be able to organize and legally establish all the rigors in the labor field, which will have to be guided by the contracted human resources. Therefore, in addition to defining the system of work organization, the employer being the main subject in the field of work, he or she will have to ensure through its internal regulatory measures and the establishment of an effective system of compliance with the rights and obligations of the subjects involved in the work-provision processes at the level of the managed economic unit. We consider that the Moldovan legislator is aware of such a situation, and we are in the repression and even extending the right to provide and control the employer and included in the category of his rights, the right to issue internal legislation at the level of the unit.

Therefore, being called as internal legal acts and issued by the employer, we consider that such a legal product constitutes nothing but a drafting activity, even if it is affected by a limited applicability, these remain legal directives, required to be complied with by the employees of the establishment where they have been approved.

We can also note that, in regard to such activity, it has been carried out by the employer, in a more limited way, it can be regarded by analogy as a lawmaking activity which, as a rule, the legislator is concerned about in the state. In this way, a relevant idea was supported in the Russian specialist doctrine, according to which the legislative outcome creates the instrument of legal Regulation and (through the regular legal mechanism) influences the life of the society [29, p. 139].

Thus, according to the noted insight, we stress that the employer by implementing his right to issue internal laws at unit level, as well as the legislator, influences the life of the labor community, which he has gathered at the level of the managed economic unit. Therefore, since the work of people placed in the labor market at the level of such a unit is not organized in an orderly manner, we consider that such an activity will not be useful, because any work performed by employees has only one purpose, which is the economic purpose added for the unit, investors and not least for the employees who provide it. In this way, in order to avoid unnecessary, incorrect or deficient work, employers can anticipate such a particular negative situation by realizing their right established in Article 10, paragraph (1), letter(e) of the Labor Code of the Republic of Moldova, which allows it to intervene in the multiple problems and situations which are particularly often faced by the heads of private sector economic units.

The presentation of the results of previous research on the chosen topic

Currently in the Republic of Moldova, there is a lack of scientific papers that address in a concrete and multifaceted way the issue of internal legislation, which the employer is entitled to issue at the level of the unit for their application in the field of work. Romanian works, which even superficially approach such a subject are elabor ated by the authors Eduard Boishteanu, Romadash Nicolai and Felicia Pascaluta. In this paper, the authors approach such a subject in a practical way, which implies the lack of proper scientific investigation and arguments.

Thus, having no coherent doctrinal support within the local specialized doctrine, following the present study, we have repeatedly appealed to the works of the foreign authors from the following countries: Former USSR, Russian Federation, Romania, Ukraine, Belarus.

One of the richest specialized doctrines in which we can find very valuable works is presented as the doctrine of the law of Soviet labor , in which the issue of the unit's internal normative acts has been subject to a pronouncement investigation, especially the works of the following authors can be noted: Antonova, L.I., Kondratiev, R.I., Tali, L.S., Vishnevetskii, A.I., Hlebnikov, D.N., Rabinovici-Zaharin, S.L., Voitinskii, I.S., Dogadov, V.M., Kaminskaia, P.D., and so on.

With a basic doctrine of labor law, the current Russian scientists have developed the subject of local or local normative documents, which the employer is entitled to issue. Thus, in the doctrine of the Russian Federation, the subject of internal normative documents issued by the employer at unit level was approached in the works of the scientists: Lushnikov, A.M., Lushnikova, M.V., Orlovskii, Iu.P., Demushina, O.N., Preajennikov, M.O., Kaliujnov, E.Iu., Hnikin, G.V., Vedeashkin, S.V., Podvsotskii., P.T., Veselova, E.R., Sirovatskaia, L.A., Kostean, I.A., Malenko, T.V., and so on.

In the doctrine of the Romanian labor law, the institution of the internal normative acts of the unit, even sometimes indirectly being treated by the scientists, is still present in the works of the scientists: Ticlea Alexandru, Sanda Ghimpu, Stefanescu Ion-Traian, Onica-Chipea Lavinia, Alexandru Athanasiu, Vlasceanu Ana-Maria, etc.

Among the Ukrainian authors that have shown interest in the issue of internal normative acts that the employer is entitled to issue at the level of unity are Goloborodiko, V.O., Juravliov, D.V., Prilipko., S.M., Iaroshenko., O.M., and others.

The doctrine of Belorus's labor law, in the case of our investigation, was presented only by one author who is Tomashevskii, K.L., the research that we consider was of great use.

As a result, the conduct of a thorough scientific study and a pioneering study on the doctrine of local labor law, on the issue of local legislation that the employer is entitled to issue at the level of the labor force unit, we are firmly convinced that the results of the analyzes carried

out in this study will not remain in the shadow, but on the contrary, they will continue to be the subject of discussions in both scientific and practical circles. Such certainty is deducing from the hypothesis, such as the need for multifaceted and complex investigation of the institution of internal legislation which the employer is entitled to issue at the level of the unit, leads to a democratic and progressive cleansing of the local labor legislation.

The purpose of the research. The purpose of this work is to have a multi-faceted and appropriate research of the institution of labor law into internal legislation which the employer may issue at unit level, by carrying out a thorough study of the legislation and of the specialized doctrine of the different countries, having as purpose the formulation of the relevant recommendations as well as the proposals of " *with a view to the future law*", in those concerning the influences, the role and legal force of the institution of internal normative acts that are issued by the employer at the level of the unit for the proper organization and documentation of legal employment relationships.

The purpose of this investigation is also to investigate fully and thoroughly the doctrinal views, opinions of practitioners and foreign judicial practice in the matter of internal legal acts issued by the employer at the level of the establishment, seeking to make logical and appropriate use of the views relating to the modernization of the legal framework, the coherent structure of views and situations encountered in the field, questions arising from situations concerning the practical application by the employer of Article 10, paragraph (1), letter (e) from the Labor Code of the Republic of Moldova.

Research objectives. Considering that the proposed subject for research has not only its scientific aspect, substance and practicality, we have not been limited to the elabor ation of a distinct or dry theoretical study, but we have approached the chosen legal institution in a complex manner by linking the content of the investigation to a variety of issues, which arise at the level of economic units when carrying out internal regulatory operations on labor questions. In addition to the many aspects of the topics covered, in this investigation, the interlinkages of the institution of internal legislation with a variety of fields have been clarified, which we can meet in each economic unit, for example: Economic, management, psychology, work organization, financial motivation, etc

In order to achieve the intended purpose, we highlight the following research objectives for solving the scientific problem:

1. the analysis of the doctrine for the presentation of investigations into the institution of internal regulatory acts that are issued at the level of the unit by the employer;

2. the definition of the device character that the legal institution has of the internal normative acts, that materialises in practice through the exclusive manifestation of the employer's will.
3. the definition of the legal nature of the institution of internal legislation, which can be issued at unit level by the employer;
4. the definition of the internal normative acts of the institution's role issued at unit level by the employer, that it can have for all the questions and the problems from the legal employment relations sphere, that the employer can solve at unit level by measure of their internal normative regulation;
5. the definition of the architectural-constructive aspect of an internal normative act that is issued at unit level by the employer;
6. the presentation and explanation of the content of the legal forms of appearance of local regulatory arrangements which the employer may issue at the level of the economic unit for the labor sphere;
7. the definition of the legal regime of internal legislation issued at unit level by the employer within the framework of legal employment relationships concluded at unit level;
8. the definition of areas of competence and legal possibilities of involvement of the employer in some compartments of the legal employment relationships through the institution of the internal normative acts of the unit.

The research hypothesis consists in the complex investigation and explanation of the legal institution of the internal normative acts that the employer can issue at unit level, highlighting the particularities, situations, the fields of application and the form of legal depiction of such a category of legal acts, through its dual dimension (theoretical and practical), with the advance of the proposals and relevant recommendations for the facilitation of the act of selecting such legal instrument by the employers, for the appropriate organization of the labor relationships at economic unit level from a legal, organisational and managerial perspective.

The research hypothesis suggested us to initially analyze the doctrine situation regarding the institution of the internal normative acts of the unit, as well as the legislative-normative regulations applicable in the situations aimed at the employer's ability to carry out his right issued in article 10, paragraph (1), letter (e) from the Labor Code of the Republic of Moldova, to finally forward a series of recommendations and proposals *"de lege ferenda"* in order to cover up the gaps identified in the local labor legislation, as well as elabor ating a distinct legal framework for the institution of internal normative acts of the unit, that can be issued by the employers.

The summary of the research methodology and justification of the research methods chosen. In order to carry out a comprehensive and multi-faceted research into the institution of the internal normative acts of the unit which may be issued by the employer, a set of methods have been used, including:

- *the historical method,* in the result we have got a clear picture of the appearance and historical evolution of the institution of internal legislation, which employers can issue at the level of the managed units;

- *the epistemological method,* thanks to which we have succeeded in knowing the extension of the employer's right of disposition to situations concerning his competence to issue internal laws at the level of the unit, in order to remedy a wide range of problems in the area of legal employment relationships;

- *the method of systemic analysis*, the use of which has allowed us to analyze and group in a systematic and logical manner the components which make up the institution of internal legislation which the employer can issue at the level of the unit;

- *the descriptive method*, helped us manage expressing all possible and necessary severities, in order to be withheld by the individuals implicated in elabor atory and implementary activities in the sphere of work at economic level units of internal normative reglementations of the employer;

- *the comparative method*, by means of which a multifaceted and interdisciplinary analysis of the legal framework of the Republic of Moldova, the Russian Federation, Romania has been done, regarding the situation of the undoubtful legislative reglementation in reference with the internal normative institution acts of the units that the employer can issue.

The normative-legislative basis of the work constituted of the following acts: The Constitution of the Republic of Moldova; the Labor Code of the Republic of Moldova; the Republic of Moldova Law No 100 dated 22.12.2017 on normative acts [7]; the Republic of Moldova Law No 186 dated 10.07.2008 on Safety and Health at work [8]; the Government Decree of the Republic of Moldova No 95 from 05.02.2009, for the approval of normative acts on the implementation of the Safety and Health at work Law No 186-XVI of 10 July 2008, as well as other normative acts of both Moldovan origin and of other States such as the Russian Federation, Romania.

The novelty and scientific originality of the results obtained. This work is the only autochthonous study, which addresses in a multifaceted, complex and interdisciplinary way the internal normative acts of the institution which the employer is entitled to issue at the level of the work area unit.

The current study, premiering for the doctrine of the law of Moldovan labor , has given a particularly broad picture of both the theoretical and the practical aspect, on the institution of labor law of the internal normative acts that the employer can issue at unit level. Similarly, in order to substantiate its innovative role and characterization, a comprehensive and appropriate picture of the institution of internal normative acts has been provided in situations where the institution concerned has been interconnected with formal legislation, human resources management and other areas which are and may be present in the area of employment relationships, by their practical implementation in the internal unit regulations issued by the employer at the level of the unit.

The elements of scientific novelty of the present investigation are characterized by the following dissertations:

- the source and birthplace of the institution of normative acts of the unit were eluded;
- the role, place and possibilities of the institution of internal normative acts that can be issued by the employer at the level of the unit for the sphere of legal employment relationships was explained;
- the legal nature of the institution of the internal normative acts of units has been determined;
- the labor law institutions that admit their connection to the institution of the internal normative acts of units have been determined;
- the main structured of formal-legal presentation of local normative acts that can be issued at the level of economic units by employers have been defined;
- the ability of internal normative provision of the employer has been defined
- the main possibilities and situations in which the employer may appeal to the institution of internal acts for the purpose to prompt his pronouncement on matters not expressly regulated by the legislator have been defined.

While referring to all of the mentioned elements aboce, we stress that so far such subjects have not been addressed as in the local specialized doctrine and due to such an indication, we believe that this study will be of great use both to scientists and, in particular, to labor law practitioners.

At the same time, in order to substantiate the innovative role of the present investigation, such a study is also based on a *"de lege ferenda"* block of proposals, with the justification for their adoption, this is complemented by the recommendations made to remove the shortcomings we have seen in the moldovan labor legislation during the drafting of this study.

The scientific and theorical support of the work is the works of the lawyers and illustrious economists from the Russian Federation, the Republic of Moldova, Romania and

other States, which have approached in a major and minor manner the institution of the internal normative acts of the unit, to which the employer is entitled.

The scientific issue addressed is the definition of the employer's competence in aiming at the issue of internal normative documents for the employment sphere at the level of the economic unit.

In addition to defining the employer's competence in the area of normative Internal Regulation of certain labor issues, the arrangements and approaches that the employer can choose in the proper organization of the work provision processes at the level of the establishment have been defined.

In the same way, the full range of severities and possibilities that must be addressed by both scientists and labor law practitioners in situations designed to give effect to the legal form of local regulatory acts, has been further specified in this study. The employer is entitled to issue at the level of the unit, as well as other subjects included by the institution of the internal normative acts of the unit.

The importance of theory and practice of the investigation. The results of the formulated study are of particular importance from multiple points of view (methodological, practical, doctrinary) for the development of the concept of internal law that the employer can issue at the level of the unit for the field of work. As to the application value of the results obtained, it may be established that they are expressed in a multi-faceted and interdisciplinary complex of ideas and opinions, both doctrine, practice and relevant case law decisions, which are discussed throughout the investigation, and which can be used with confidence by labor law practitioners, and legislative bodies with a view to the continuous harmonization of the legislative and regulatory framework for labor .

Similarly, a particular significance in the sense of the application value of this doctoral thesis is also the integrity elements in the *"Annexes"* compartment, which seek to provide a broad and appropriate picture of the importance and needs of using such employment relationships of legal acts in practice, equally to the internal regulatory ones issued by the employer at unit level.

The approval and publication of the results obtained. The results of the investigations have been developed, approved and recommended for support by the Mentoring Committee for the PhD School in Law, Politics and Administrative Sciences of the consortium of ASEM and USPEE educational institutions.

The results of the research are reflected in various specialty journals, national and international conferences, in the following volume: a) national conferences – 8 publications; b) international conferences – 10 publications

The main scientific results submitted for support:

1. The right of the employer to issue internal regulations at unit level for the area of work is an absolute right. Such a right requires to be regarded as a separate legal institution of labor law. Although ,currently the Moldovan legislator is limited in terms to expressively materialize such an institution at the law level, noticing that in the complex of the legislative-normative regulations of the labor nature of the Republic of Moldova there is a series of references to such a category of legal acts, however, we believe that such an institution's explicit legal form is not only possible but also necessary in the current socio-economic conditions.

2. The internal laws which the employer is entitled to issue at the level of the establishment have a particularly specific legal nature, the specificity of which is based on the sublegality of such a category of legal acts, which apply exclusively in legal employment relationships. The definition of the legal nature of internal normative acts, which the employer can issue at the level of unity, in our view and appreciation, is a first-time investigation for the doctrine of the law of local labor , which we believe will shape a new stage of the continuous democratization of the legislative framework of labor .

3. The institution of internal normative acts, which the employer is entitled to issue at the level of the unit, materializes in its practical way within the sphere of legal relationships, as a result of the explicit will of the employer within a form of the legal act chosen. For the purposes of the institution addressed, the will of the employer must be perceived in the form of the employer's right of disposition.

This idea is deduced from the fact that the employer in the area of employment relationships is the subject that: directs, organizes and guarantees employees all the working conditions, which they concluded when establishing the legal employment relationship. Therefore, as the employer is the subject of deciding whether the necessary human resources are to be allocated to the unit level, and as the subject that has the right to give orders to employees, we find that such an indication is sufficient to guarantee his ability to disposition in the field of work.

4. The institution of internal laws which the employer is entitled to issue at unit level, in addition to being a legal institution, which involves drafting the internal regulatory framework of the unit exclusively for the area of labor , also accepts the possibility of connecting it by way of a substitute with other institutions expressly recognized and regulated by the labor law framework. At the same time, we note that at present such a question in the legislative regulations of local labor has not gained an express consensus. Therefore, having noticed such a loophole, we appreciate that the *"de lege ferenda"* proposals made by us, will facilitate by measure the modernization of the Moldovan Labor Code in the chapter of the institution of the employer's internal regulations.

The implementation of scientific results. Following the completion of the study, the accumulated scientific results are used in order to increase the specialty doctrine of the Republic of Moldova, as well as to democratize national labor legislation by modernizing it. This study can also be used confidently in the educational process in legal and economic higher education institutions and by labor law practitioners.

The volume and structure of the dissertation: This doctorate dissertation consists of the following elements: Annotations (in three languages: Romanian, English, Russian), list of abbreviations, introduction, three chapters, general conclusions and recommendations, bibliography, annexes, CV of the author. Altogether, the paper has 280 pages, and 300 titles are included in the bibliographic list. This doctoral dissertation has been drawn up in accordance with the requirements laid down for this category of work.

Key words: internal normative act of the unit, employer, employees, Regulation, order, employer's right of disposition, document, unilateral legal act of the employer, documentation of legal employment relations, employee's job description, internal normative regulation of the employer, completion of the labor law, improvement of working conditions, organization of work, additional conditions.

2. CONTENTS OF THE DISSERTATION

The introduction is the descriptive-introductory part of the research theme designed to justify the importance and timeliness of the subject addressed, as is the purpose and objectives pursued by the author. It is also defined by the identification of the theory-scientific support, the methodological tools, the regulatory-legislative basis, the rationale of scientific novelty, the theoretical and practical importance and the application value of the investigation, the approvals and publications of the results, the structure and the content aspects.

Chapter 1. The analysis of the doctrinal situation concerning the study of the legal institution of the internal normative acts of the unit to be issued by the employer reflects all the analysis and studies of the doctrine found during the theoretical research of the institution of the internal normative acts issued by the employer at the level of the unit. Thus, the source of the birth of the institution of the internal normative documents of the unit, the aspects and the particularities of the legal Regulation of this institution in some of the states in the world was identified. In the same way, this chapter analyzed and argued the mechanism by which the institution of the unit's internal normative acts is fluent.

On the occasion of the shaping of this compartment, the thorough historical analysis has been submitted to the evolution of the institution of internal normative acts of the unit, which the employer can issue, exclusively drawing attention to the investigations carried out within the

specialized doctrine of the USSR, the Russian Federation, Belorus and Ukraine have not been indifferent as well.

The institution of internal normative documents issued at the level of the employer unit was still addressed in the USSR by Antonova L.I. in the work *Local Legal Regulation (Локальное правовое регулирование)* [16, p. 152] in 1985.

In the study, the researcher refers to the employer's internal legal-regulatory activity, to the complex of actions of a legal-regulatory nature, which can be carried out by the employer, by giving off the effects of its legal product which is valid only within the economic unit it conducts and only on the contracted human resources pool.

In regard to the legal institution relating to the internal normative Regulation of the unit at the initiative of the employer, the author comes with an indication: The local legal Regulation is the derived result of the centralized Regulation carried out by means of local legal acts adopted within the unit by the subjects exercising management functions, acts directed to self-organize and to lead the workforce, created on the basis of the social relationships which are formed within that establishment [16, p.11].

Although the above-mentioned work is based on the legal-regulatory provisions of the single-communist framework existing at that time, however, the ideas displayed remain valid today, because the organization of work and the effective management of human resources contracted for the purpose of providing quality work remained unconditional to be an important managerial task, for all times and types of economic units. Such a conclusion also stems from the opinion of the American human resources management theorist Armstrong, M., who notes that the management of human resources can be considered as the continuous strategic and logical approach of managing the most valuable subject of the enterprise: those working in the company, who both collectively and individually contribute to the achievement of the company's objectives [18, p.20].

Therefore, effective management of human resources by the head of economic unit, based on the most effective management practices and methods, creates the synergy and continuity of the work delivery process at the level of economic unit.

Other representatives of the doctrine of Russian labor law that help us treat the legal institution of the internal laws of the unit issued by the employer are the researchers Lushnikov, A.M., and Lushnikova, M.V [27, p.563]. An important idea for our investigation approved by the named doctrines is the birth of the institution of internal normative acts of the unit.

Thus, the prestigious authors concerning the birth of the institution of internal normative acts of the unit consider that in the Soviet science of labor law, the theory of internal normative acts starts to be actively drawn up in the late '60s of the 20th century [27, p.563]. The emergence

of such an institution in the framework of labor law was caused by the start of the economic household reforms in 1965, which gave the units the opportunity to proceed to self-assessment of opportunities for financial realization and appreciation of their own powers [27, p.563]. This concept was formulated at the time of domination of the state property system, when all state-owned enterprises and organizations and their administration was exercised by state bodies [27, p.563].

Looking at the above-mentioned opinions, we can conclude that the birth of the unit's internal normative acts was the result of the reforms that took place in the 20th century, as a result of the attempts that industrial enterprises of that time have undertaken to increase economic indicators and also to provide freedom to self-manage the business of the unit. Therefore, the conclusions drawn represent a creation resulting from theories of the influences of the social policies promoted by the Union state. The assimilation of the head of the unit or, in the case of our investigation, of the employer with a certain state body was natural, because at that time the studies and possibilities of business organization did not exist, and moreover the organization of business was forbidden, otherwise, the person organizing such an activity would automatically be liable in administrative or even criminal form [17, p.19-23].

Being a historical page, we report that at present such attacks on the leaders of economic units, regardless of the form of ownership, are not being carried out any more and we do not even believe that the phenomenon might occur, because the development that our society has gone through so far is definitely different from the past social-legal regulations and ordinances.

At present, the heads of economic units prefer to be qualified as businessmen or businesspeople, especially those in the private sector, whereas those in state-owned enterprises prefer to be named managers. In our view, such judgments of persons who run economic units or state-owned enterprises are logical, because the organization and administration of business in the 21st century implies a freedom of: visions, opinions, ways of organizing work, the process of manufacturing goods, the organization of sales and marketing activities, as well as other activities necessary for their leaders, in order to maintain the market validity of the economic unit, whereas during the socialist-communist period such freedoms were strictly forbidden!

Those mentioned above, in order to be effectively exploited, have been analyzed by the governments of the world and, as a result of the established beneficial effects for the development of the business sphere, have made a variety of cardinal changes in the previously prohibitive legislative framework. In the Republic of Moldova this process began in the ‘90s, with the proclamation of independence and the adoption of the constitution [15]. Therefore, having approved the new Constitution of the Republic of Moldova, inevitably the necessary

changes in the mass of legislative acts have not left the field of work untouched either. As a result, the new Labor Code was approved in the Republic of Moldova in 2003.

As for the role and appreciation of the head of economic unit in connection with the activities concerning the issuance of internal legislation, we find that an important specification for the purpose of determining the quality of the subjects empowered to issue internal legislation at the level of the unit is made by the Russian author Kondratiev, R.I., according to which the subjects concerned are entitled to implement the law delegated by the state as regards local regulation of working conditions within the limits provided by the law and bearing the effects of preventive penalties by the state on local legislation in case of non-compliance with general legal requirements [24, p.563].

We believe that the author quoted is absolutely right, because the employer who provides employment cannot impose on the subjects who are employed to be subject to rules that are contrary to the provisions of the current legislative framework. Therefore, the employer, being responsible for the organization and administration of the working conditions which he can propose to the contracted human resources, applying to them the internal regulations issued at the level of the unit according to the provisions of Article 10, paragraph (1), letter (e) from the Labor Code of the Republic of Moldova [2], has no unilateral right to subcontract the standards and the level of conditions guaranteed legally by the state.

A vision of the establishment of the unit's internal normative acts is also found by the author Bauken, A.A., who claims that local laws are a major part of the management of modern enterprises [20, p.11]. They perform various important functions such as the implementation of the legislation that applies under specific conditions of a specific organization, the fulfillment of legislative requirements in the compartment of the adoption of binding local legislation in the case of specific situations or even the covering of flaws [20, p.11].

As for the content of the institution's internal normative acts, the author concluded that by analogy with the legislative branches, local normative acts regulate the work relationships within the organization (rules of internal rules, job descriptions and others), corporate relationships (statutes, Regulation on administrative bodies and others), administrative (department regulations, etc.), fiscal (record-keeping policy) and other relationships [20, p.11].

Following the variety and usefulness of the ideas of the Bauken doctrine, we stress that the author has succeeded in highlighting particularly the spheres and compartments of economic unit, in which such a category of legal acts, originally regulated by the provisions of labor law by Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova [2] can be applied. In our opinion, the author provides one of the most widespread views on the spheres and

compartments in which internal rules can be adopted by the employer, which in turn will be applied exclusively to the legal employment relations established at the level of the unit.

Therefore, after explaining the influence and the purpose of legal institutions of the labor law of the unit's internal normative acts, we consider it relevant to open a discussion on a series of definitions, both legal and doctrinal, the content of which would enable us to disclose exhaustively what the institution of local laws is, adopted by the employer at the level of the unit.

According to Karsetskaia, E.V., the local regulatory de facto normative act is the "law", which acts within a concrete organization [22, p. 2]. This document is binding on all employees unless otherwise stated in such a local act [22, p.2]. In our view, the definition in question is incomplete, as it does not reflect all the indicators and influences of such a legal institution of labor law. However, we do not find it unimportant, and so we share it in part.

In another view, authors Komarov, S.A., and Maliko, A.V., claim that the local legal acts are legal documents containing rules of law adopted by the subjects with the right to administer organizations of different forms of ownership and subordination of the State department [25, p.29]. In our view, the proposed definition is more precise and reflects more appropriately the legal spirit of such an institution of labor law. That is why we support it.

The recently-mentioned author Antonova, L.I., referring to the definition of the internal laws of the unit, proposes a general definition of the institution in question consisting of the following: the normative-local Regulation presents one of the reflections of the society's self-organization [19, p. 54]. The aim of such a Regulation is to regulate corporate relationships "from within", is to create a balanced corporate relationhip system, which is based on the social world and the efficient economy [19, p. 54].

We support the opinions cited, because for employment relations the institution of the internal laws of the unit does not only bring about the establishment of rules and conditions to be observed in the process of employee work, but also the establishment of facilities, which usually have an economic content, stressing that it directly facilitates the provision of high-quality work from talented human resources.

Tomashevskii, K.L., describes this institution in the following way, claiming that the normative-local legal Regulation is one of the particularities not only of the system of sources of labor law, but also as a method of labor law, a specific feature of which is the combination of centralized regulation with legal and local regulation of employment relationships and those related [31, p.218]. We believe that the quoted author has provided our investigation with one of the most successful definitions, focusing on several sections of the science of labor law, which we appreciate to be a particularly successful one.

We also report that Tomashevskii, K.L., has highlighted one of the most important features of the legal institution of the unit's laws issued by the employer, namely the combination of centralized Regulation with legal and local Regulation of employment relationships, as well as those related. In our view, this is not only a characteristic of such an institution of labor law, but also a means, or a particularly useful indication, of the differentiation of such a category of legal acts compared to other forms and categories of legal acts known to legal doctrine and practice.

In conclusion, we would like to report that the legal institution of internal normative acts that the employer can issue at the level of the unit has emerged in the legal employment circuit, due to the need to combine legislative regulations with the needs of the employer, as well as of the unit in connection with the establishment of legal employment relations, by issuing to this effect national legal acts that will make the most practical way of establishing employees' activity.

Chapter 2 Legislative-doctrinal characteristics of the legal institution by labor law of internal normative acts issued at unit level by the employer. Within this compartment, the structure of the institution of internal normative acts of the unit issued by the employer has been examined step-by-step through the elucidation of all aspects that can be activated and have a significant role in the practice of employment relationships. Also in this chapter, a particularly extensive investigation has been carried out into the forms of legal presentation of the internal normative regulations that can be issued at the level of the unit by the employer and the legal-constructive architecture of the internal normative document of the unit in the field of work, as well as the *"de lege ferenda"* proposals have been submitted.

The institution of labor law of the unit's internal regulations issued by the employer is, in our opinion, one of the most dynamic and representative institutions of labor law, which so far is not studied in a comprehensive way at the academic level, as is the case with the labor law of the Republic of Moldova. Such a situation in our view is not at all correct, because this legal institution includes in its very nature the creation of the internal regulatory framework of unity, which are elabor ated by the employer and are exclusively oriented for the organization and documentation of the legal employment relationships within an economic unit.

As a judicial institution under superficial research by labor law doctrines, especially those of Romanian and Moldovan origin, we find it of major importance, and in addition to the doctrine of the law of moldovan labor , to present the investigation into the legal nature of the institution of internal legislation that are issued at the level of the unit by the employer.

A first essential nature to define the legal nature of the institution of the internal laws of the unit that are issued by the employer, is that of *express legislative Regulation*.

In the sense of legislative Regulation, the romanian doctrine, specialist in general theory of law, author Mazilu Dumitru noted that the law, normative acts, in general, are acts of social leadership, because they express the major demands of the development of the society and ensure the achievement, by legal means, of common, general interests, of the human community [9, p.25].

As shown above, and in the sense of the legal institution of the internal laws of the unit, we note that the labor law of the Republic of Moldova, unprecedented for the other branches of the regulated rights within the territory of the Republic of Moldova, offered the moldovan employer a legal instrument of great practical use, through which he is entitled to carry out lawmaking, a law of a limited applicability, which is carried out exclusively at the internal level of the unit.

The applicability of the normative acts mentioned is characterized by the boundaries of the economic unit and the circle of people that make up the labor force, as well as the results and fruits of his work. In other words, this activity is intended to organize and legally regulate individual employment relations, which the employer has already established and is to conclude at the level of the managed unit.

The lawmaking activity of the employer, guaranteed and possible to be carried out by him under the provisions of Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova [2], must be perceived not in the full sense of the word, such as that carried out by the legislator, but in a narrower sense, because such an approach is specific and appropriate to the sphere of employment relationships, as part of the internal regulation of employed work at the level of the economic units.

However, the employer, being a legal subject and even having the right to issue normative documents at the level of the administered unit, cannot be compared to a true legislator, because, as noted in the russian doctrine of the law on labor , local legal normative acts (internal normative acts of the unit) are part of the category of acts that are placed at sub-legal level of the legal sources, being acts that are at the most inferior level of legal hierarchy [32, p.49]. Such acts have a sphere of action (within the limits of organization's boundaries) and do not contradict with the laws and other acts subordinated to law [32, p.49]. Within the context of the discussed opinions, it is important to mention that the employer's activity regarding the development and the issuing of internal normative framework of the unit, that later will be applied to the legal employment relationships, is a limited one, but not lacking importance, interest and value for the sphere of legal employment relations.

In further development on the subject, this time we consider it necessary to put on the table our ideas expressed in the doctrine of russian labor law such as the institution of the

internal laws of the unit as called in the moldovan legislation, in the doctrine and in the Labor Law of the Russian Federation, it is referred to differently, as the institution of the company's local regulatory acts [37]. In our view, the terms of local and internal within the meaning of our investigation can be seen as synonyms, because their meaning is reduced to a single idea, which consists in the fact that the act to be issued by the employer will be valid only within the economic unit within which it was drawn up and approved respectively.

The local laws of the unit, in the doctrine of russian labor law, have been defined as a specific source of labor law adopted by the employer in the letters of his or her competence [33, p. 74]. This act concerns all the employees of this unit or specific categories of employees, which are expressly mentioned in the act [33, p. 74]. Certainly, the opinions raised, call for an appropriate point of view and appreciation of this category of legal acts, and in this way we share the ideas set out above.

In continuing the development of ideas that surround the legal nature of the judicial institution of the internal normative acts of the unit, we establish that for the purpose of our investigation, in the doctrine of russian labor law, the author Malenko, T.V., has exhibited an idea that the local normative regulation is an indicator of the society's self-organization [28, p. 54]. And the purpose of such a regulation, as noted by the scholar Antonova, L.I., presents it as "the order of corporate relationships *within*", the creation of a balanced system of corporate relationships, in which the social world and the actual economy are included [19, p. 54].

According to the report, we believe that the ideas put forward on the discussion table allow us to establish and to outside another legal nature of the institution of the internal laws of the unit - *the balanced and legitimate organization of the employment relationships and the interests of the parties to the individual employment contract, interests which can be insured by virtue of the legal properties of such a relationship.*

In the sense of an established character, the Moldovan author Avornic, Gh., noted that law, as a factor in the programming of human freedom of action, was a particularly effective means of achieving the major objectives of social organization [3, p. 184]. Social agreement and the coexistence of freedoms imply changes in the nature of social relationships [3, p. 184].

We comply with the ideas of the quoted author, but we also add that such opinions are valid for labor law, including the legal institution of the internal normative acts of the unit, by the fact that the ideas quoted are benchmarks, in the peaceful social-legal coexistence of labor law subjects and in a harmonious manner through the organization of their work by the employer applying to the legal institution of the internal normative acts of the unit.

Defining the legal nature of the institution of the internal laws of the unit, to be issued by the employer, is a particularly complex task, because having the character of a purely labor law

law act as considered by the doctrine as sublegal, highlighting all aspects of it would be difficult, but nevertheless, we report that the sublegality of such a legal institution is merely apparent or artificial, because in the practice of legal employment relationships, this category of legal acts operates without reservation. At the same time, we would also like to add that such an approach, being present as a doctrine study, would be able to cover as much as the deficit of ideas as well as the legislative regulations of the Republic of Moldova, in the matter we have been addressing for the first time for the doctrine of the Moldovan Labor Law.

The balanced organization of employment relationships is a particularly complicated task for the employer, but not an impossible one, since its insurance can be perfectly designed by the application by the employer to its law guaranteed by the legislator by Article 10, paragraph(1), letter (e) of the Labor Code of the Republic of Moldova [2]. This conclusion is derived from an idea set out in the doctrine, according to which the local regulatory Regulation of the unit has a characteristic feature: On the basis of its content, it only affects certain sectors of established social relationships [28, p. 54]. Therefore, by the property of the implementation, it not only compensates for imperfection of the legislation, but also detaches it [38, p. 54].

According to the latest reference, the properties of a concrete and detailed legislative framework of work, carried out by the institution of the internal laws of the unit, are the main factors that have allowed such an institution of labor law to exist and remain perfectly valid until today.

In our opinion, the properties of concretization and detalization, in order to be properly applied by the employer, require interpretation by a competent labor law specialist, consultations and information which the employer will have to take into account.

Therefore, the interpretation of the legal rules, particularly labor law, in the current legal and economic realities of the Republic of Moldova, we stress that they are a necessity, but not a whim of the employer. This is a simple reason: If the employer applies in a wrong way or, even more seriously, in an abusive way the labor law provisions in relation to the contracted human resources, we will witness situations where employers challenge labor law violations, petitioners being the employees dissatisfied with the damage to their labor rights.

Conflicts between the employee and the employer in connection with the administration of academic work pay are called labor conflicts [14, p.257]. The romanian author Vartolomei Brindusa, in the sense of assessing labor conflicts, argued that although the main meaning of labor law was to achieve the objective of social peace, as demonstrated by the very life, between the employee and the employer, individual conflicts and collective labor disputes are often born between employees and employers [14, p.257]. The fund or the objective support for such conflicts is, in the last analysis, the economic and legal inequality between the

employee/employees and the employer [14, p.257]. On this basis, there are regular individual or collective conflicts (in the second case, social peace is temporarily suspended) [14, p.257].

Taking into account what was related and appreciating the importance of the subject of labor conflicts, we believe that the emphasis on this issue is appropriate, as the unit's internal laws issued by the employer in all circumstances must be appropriate to the legislative framework of work, to the purposes, to the legal and economic conditions and requirements which he has undertaken to guarantee to the subjects contracted for work purposes.

In our view, the importance of respecting the legal and economic indicators, in all the activities of the employer at unit level, including internal regulatory law-making activities at unit level, results from the legal definition of a work contract, established for this purpose in Article 45 of the Labor Code of the Republic of Moldova [2]. According to the Moldovan legislator, the individual employment contract is the agreement between the employee and the employer, whereby the employee undertakes to work in a particular specialty, qualification or job, to comply with the unit's internal rules, and the employer undertakes to ensure the working conditions laid down by the Labor Code, by other normative acts containing labor law rules, by the collective employment agreement, and to pay full and timely wages [2].

According to the legal definition cited, this law includes and uses both of the indicators we have mentioned: for the purposes of legal indicators, these are the employees' obligations to perform work in a particular specialty, qualification or job, to comply with the internal rules of the unit; As well as the employer's obligations to ensure the working conditions laid down by the Labor Code, ny other legislation containing labor law rules, by the collective employment agreement; and the economic indicators refer to the obligations relating to the pecuniary remuneration of the work performed, which are entirely incumbent on the employer, and which the moldovan legislature reflected at the level of law by the following wording: to pay in time and in full the salary of the employees of the unit [2].

As regards the materialization of the legal and economic indicators, in the contents of the unit's internal normative documents, this must be carried out by the employer with the greatest care and accuracy, which is expressly stipulated in Russian legislation in Article 8, (4) of the Labor Code of the Russian Federation, according to which: the rules of local normative acts, which worsen the situation of employees in comparison to established labor law provisions and other legal and regulatory acts, which contain norms of labor law, collective employment agreement, conventions and local normative acts, adopted without respecting the opinion of the advisory body established in Article 372, of the Labor Code of the Russian Federation, are not liable to apply [34]. In such cases, labor law and other legal acts, which contain norms of labor law, collective agreement, conventions [34], are applicable.

According to the quoted legislative text, we are deducing that the validity of the internal normative acts of the unit adopted by the employer is determined, as we see, by a variety of conformities, established by other regulations, both legislative, as well as internal normatives of the unit, to which the russian legislator referred. Therefore, having no such approach in the Labor Code of the Republic of Moldova, we report that this loophole makes it very difficult to see and respect the limits that both the employer and the persons responsible for managing human resources and the legal department specialists must take into account the phases of elabor ation, issuing, drafting by amendment and repeal of such internal legal act of the unit issued by the employer by virtue to Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova [2].

Therefore, we conclude that any internal normative document issued by the employer requires a legal-economic expertise carried out by the specialists in the unit in the legal, economic-financial and human resources administration sectors. In our opinion, the tripartite involvement of the specialists in the areas mentioned, guarantees the employer a more thorough legal and economic security in his activity of internal law-making for the area of labor at unit level.

As we continue to reveal the legal nature of the institution of the internal laws of the unit, we find particularly useful the idea of a group, by the Russian author Kaciur, I.A., who specified that local lawmaking in the field of labor is of particular importance, because it permanently creates, organizes and guarantees employment relationships, expresses the willingness of the leaders of individual organizations to provide employees with specific rights and obligations within the scope of the general rules of compulsory conduct in the undertaking, which are in line with labor law [23, p. 135]. With this opinion the author raises several issues which are particularly relevant to the practical scope of employment relationships, which we will look into below.

The first aspect highlighted by the author Kaciur, I.A., is the organization and guarantee of employment relationships [23, p. 135]. Organization of work, according to Russian authors Kobet, E.A., and Kobet, S.N.: Presents a system of interactive character for the interaction of employees of the unit with industrial values, which manifests itself by determining their links within the process of providing work, organization corresponding to all necessary requirements for the jobs and their service, application of rational techniques, established working methods and standards, remuneration and qualification requirements for human resources [26, p.32].

Based on the analyzed material, we conclude that the organization of work is a management tool made up of a complex of instruments that are: organizational, economic and legal, designed in their entirety to order the contracted human resources, which in turn are paid

from the money resulting from the activities carried out according to the rules of the determined work process. According to the report, we stress that the institution of the organization of work can only be supported by the legal institution of the internal laws of the unit which the employer issues for the employment sphere.

The study and explanation of the ways, of the instruments, methodologies and other factors exploited by the leaders of economic units for the organization of work in the last 20 years in the business, were the subject of the commitments made by the management doctrine [39], which was fruitful in proposals of: theories, approaches such as practical recommendations, which can often be useful to leaders of economic units.

A multi-faceted image meant to explain to us the specificity of the organization of work at the level of the unit, is discovered by romanian authors, specialists in economics, teachers Burdus, E., and Popa, I., in the work "Management methodologies" [4, p. 362], in which content, the heads of economic units will be able to find sufficient advice on the effective application of the provisions and activities which make up the institution of the organization of paid labor .

About the legal relations that the work organization can have with the institution of the internal laws of the unit, we want to make a statement: The organization of the work is a general concept, which includes all the work processes that it can include in a unit, the work to be performed by contracted human resources in the manner in which the employer considers, must be carried out in accordance with the law, which stems from the internal legal regulations defined at the level of the unit.

And, in regards with the legal content of such a procedure, we specify that the internal rules or regulatory framework of the unit itself is to be made up of the following mandatory elements for establishing: Labor standards; working standards (for the purpose of measuring the quality and quantity of the work performed); rules of conduct; Requirements for the designation of the responsible persons in charge for the organization of work, etc. Consequently, the legal-formal component of the elements mentioned can not be reflected more successfully than by the drafting of an internal Regulation of the unit of employer in accordance with Article 10, paragraph(1), letter (e) of the Labor Code of the Republic of Moldova [2]. It is important to note from the above that the organization of work, as a legal institution distinct from labor law, in all its forms of manifestation requires correlation with the provisions of Article 5 of the Labor Code of the Republic of Moldova [2], which preserves the basic principles of regulating employment relations and other relations directly associated to them.

In regard to the employment rights guarantee department, we believe that this condition by its very nature constitutes a goal for a peaceful socio-legal coexistence of the subjects

involved or seeking employment, under which the employee will be guaranteed the work rights enshrined in the legislative and regulatory acts in the labor field.

The guarantee of the person's rights in employment, in our vision, finds itself in the primary Regulation in the provisions of Article 43 of the Constitution of the Republic of Moldova, which states that everyone has the right to work, to freedom of choice of work, to fair and satisfactory working conditions, and to protection against unemployment [1]. According to the constitutional provisions cited, this time, we consider that the legal institution of the internal normative acts issued by the employer at the level of the unit is intended not only to guarantee the stability of an established legal employment relationship, but also to promote the continuity of such a relationship over time, by regulating individual and appropriate subjects in the field of work. Following the completion of the internal regulatory process at the level of the unit, the use of such a tool by the employer can guarantee the contracted human resources and other benefits, such as those of the financial incentive for the employee in the form of prizes, or bonuses for work success.

Similarly, in this context, we would also like to add that the guarantee of labor rights is also stipulated by the provisions that make up the branch of labor law, which, in our view, constitute vital factors for such a branch of law.

The authors Romandas N., and Gamureac A., have come up with a series of specifications defining the legal specificity of the labor relationships and the conditions under which these relationships should be carried out. Thus, the quoted authors emphasized that work occupies a central place in the life of every human, because through a certain contribution, the person that made an effort, either physical, either intellectual, has brought benefits to other people, companies or legal groups [12, p.49]. In order for it to be regarded as work, especially work for the benefit of another person, the institution of labor law has created a mechanism for the stability and Regulation of the relations arising in the legal employment relationship between the persons concerned, calling it an individual employment contract [12, p. 49].

Therefore, according to the above-mentioned opinions, the guarantee of employment rights at the level of the unit is carried out on the basis of the conclusion of the individual employment contract between the employer and the employee. Simultaneously, guaranteeing employment rights, through the legal institution of the internal normative acts of the unit, represent all the documents issued by the employer for the regulation of the legal effects arising from the individual employment contract and the regulation of some compartments arising from the conclusion of the legal employment relation itself.

About the legal doctrinal characteristic of the institution of internal normative acts that are issued at the level of the unit by the employer, we can add such topics as: Legal nature, the

role of the institution of the internal normative acts of the unit, the legal formality of the internal normative regulations of the unit, the way in which the employees of the unit know about the internal normative works of the employer, so far in the doctrine of the law on local labor, has not been mentioned at all, which has also urged us to submit the named subjects to the examination.

In **Chapter 3 The Genesis of the device character of the institution of internal normative acts issued at the level of the unit by the employer**, a practical pronouncement investigation was carried out concerning the application through the interconnection with other institutions of labor law of the institution of internal normative acts of the unit to be issued by the employer. This chapter sets out a variety of recommendations and visions that legally enable employers to modernize, order, improve and systematize through the individual internal regulation, a variety of sensitive questions in the area of legal employment relationships.

The need to contract wage labor is urgent for the organization of any business, since in the absence of the competent staff involved in carrying out the tasks undertaken, it will not be possible to ensure that it works. But in order to fully accomplish the commitments submitted to the employees, the employer must ensure that they correspond to the organizational structure of the unit and to the specific features of the activity of the unit. All these measures are covered by the notion of - *organization of work*.

In order to reveal the notion of work organization more widely, we have resorted to a range of doctrinal research, which approached such a notion not from the point of view of economic elements, as usual, but we have analyzed that the views on work organization will be addressed specifically in the spirit of the legal relationships regulated by the provisions of labor law.

Thus, the Russian authors Tihomirova T.P., and Ciucikalova E.I., have reported that at company level, the organization of work is regarded as a rational system of employee interaction with the means of work, as well as with each other, based on a pre-established order of formation and consistency in the realization of the work process, aimed at achieving high socio-economic outcomes [35, p.12].

We associate with the view of these doctrines, and we also believe that the aim of organizing the work of employees is limited to achieving considerable results, which in all cases are purely economic in nature, and these are results that can be obtained by the unit only by carrying out profitable activities by contracted human resources. But in order to have that economic result built up, in the field of work such questions initially need to be legally defined by the employer, namely through the legal institution of the unit's internal normative acts.

Understanding that the proper organization of work is a profit-making measure, having paid particular attention to the analysis of the content elements that characterize the work

organization procedure. Thus, in view of the previously cited authors, to the basic elements of the work organization, can be attributed the following: a) selection, training, increasing the professional qualifications of human resources; b) non-hazardous working conditions and protection of work; c) division of work; d) cooperation between work; e) organization of jobs; (f) substantiated rules on labor costs; g) labor discipline [35, p.12].

The elements specified are particularly important compartments, which in both legislation and labor law doctrine, require us to be regarded as separate legal institutions. The correct operation of the unit itself depends on how these components are materialized. The employer ensures that these elements are carried out in a way that does not exceed the adoption of a particularly broad spectrum of internal laws of the unit.

Next we will be highlighting all the links and factors, which make it necessary to regulate internally within the unit, the elements forming the work organization procedure through the legal institution of the internal laws that the employer can apply according to his competence to intervene in the work of human resources, with regulations at the unit level.

The first element that makes up the institution of the organization of work, as we said before, is - *the selection, training and raising of the professional level of human resources.*

The importance of this element is dictated by the fact that if the employer wants to have a professionally strong team, he is obliged to take special care of the professional training of the contracted human resources at the level of the unit. In order to give a distinct view of the element addressed, we will further characterize it in stages, because the grouping of its components will allow us to highlight the place and role of the legal institution of the internal normative acts of the unit in such a case.

The selection of staff, in our view, is a procedure, under which the employer, on behalf of the unit, interacts with its external environment, with the labor market in order to choose suitable applications for potential employees. Following an interview by the employer with the human resources specialists in the unit, the candidate who corresponds to the professional-psychological skills will be offered the job and it will mark the conclusion of the individual employment contract.

For the purpose of the selection procedure of personnel, the Romanian authors Panisoara G., and Panisoara I.O., thoroughly addressed the procedure of selecting the CVs [11, p.40] of potential candidates for the unit's vacant positions. About this procedure the authors quoted note that in the CV review process, an indirect criterion that gives us additional information about the applicant's personality is the form in which the CVs are presented [11, p.40]. Thus, the very detailed CVs may indicate a very thorough personality or at least a person who wants and knows

how to be very valuable (and in this case we must be very careful in the interview so that there won't be any misleadingness) [11, p.40].

We support the views of these authors, because the candidates' CVs, received at the unit from people who intend to take note of the offer and the working conditions, are the primary document, which allows the employer to start the procedure for selecting applications for the vacancies. From the candidates' CVs the employer may take note of: a) the professional qualifications of the candidates, collect information on their aspirations and skills in other fields; b) information on the attendance of continuous, long and short-term vocational training courses; c) information on hobby, etc.

However, the procedure of selecting candidates for vacant seats is not limited to the analysis of CVs, because the dispatch of the CV by a person shows only an intention preceded by a meeting, which in the practice of the management of human resources is called - *job interview.*

In our view, the employment interview is the process in which the employer, namely the owner of the offer and the working conditions, meets the potential employee in order to assess his skills, such as professional qualifications; psychological state; the ability to adapt to the requirements of the unit, etc. For the legitimate and impartial conduct of the selection procedure for human resources, the employer recourses to the legal institution of the internal normative acts of the unit which he may issue based to Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova [2], by elabor ating the normative document with the title - *The policy of attracting and selecting staff within the unit.*

In our view, this document must be drawn up on a compulsory basis at the level of every modern economic unit, as it shows and presents the style of human resources approach by the organization, and creates a picture of the organization's people, who intend to be employed in it, by practically translating it in the behavior of the unit's human resource administration of the managers.

We can mention that the document must be compiled in accordance with the principles regulated in legislative acts such as: The Constitution of the Republic of Moldova [1], the Labor Code of the Republic of Moldova [2], and in other existing legal-regulatory acts. We have reached this conclusion, because within the scope of legal employment relations regulated by the Labor Code of the Republic of Moldova, in cases of recruitment and selection of staff for job vacancies, the employer or staff responsible for human resources management must not behave in a discriminatory or arrogant way, which is often seen in procedures for interviewing job seekers. In our view, such behavior would be unfavorable and even destructive not only for the

reputation of those who are concerned about the placement of candidates, but also for the image of the economic unit in the labor market and beyond.

Therefore, in order to avoid the negative effects caused by the lack of proper organization of procedures for the recruitment and employment of persons, we recommend that the employer issue such an act which would not only enable the attraction of human resources, particularly talented people, to be properly organized, But also adequately promote the fundamental principles of labor law as seen in Article 5 of the Labor Code of the Republic of Moldova [2], such as: 1) freedom of labor , including the right to freely chosen or accepted labor , the right to dispose of someone's working capacity, the right to choose a profession and occupation; 2) prohibition of forced (compulsory) work and discrimination in employment relations; 3) equal rights and opportunities for employees; ensuring that employees are equal, without discrimination, beaing able to advance in the job, taking account of labor productivity, qualifications and professional experience in the job specialization, and vocational training, recycling and improvement.

The unconditioned observance by the employer of the stated principles is indispensable because, according to the vision of the Romanian author, Septimiu Panaite, these guiding ideas express the quintessence and specificity of the employment relationship and, by their legal consecration, acquire the meaning of generally binding rules [10, p.21]. Therefore, in order to organize properly the measures to supplement the working group with qualified staff in all the fields necessary for the establishment, this procedure must be regulated at the level of the establishment by the legal institution by means of internal legislation issued by the employer.

Another measure that the employer must take into account in the process of effectively establishing the system of organizing work is - *training and raising the professional level of human resources.*

In the current period, for Moldovan employers this procedure is a burdensome task, but not a task lacking interest and beneficial effects both for the proper conduct of the activities of the unit and for the improvement of employees' professional skills for the benefit of both parts of the employment contract.

Both in doctrine and in labor law, the training of human resources is called - *vocational training of employees*. The definition of this concept is inserted in Article 212, paragraph (1) of the Labor Code of the Republic of Moldova, according to which: Vocational training means any training process resulting in an employee acquiring a qualification, attested by a certificate or diploma awarded under the terms of the law [2].

In his treaty of case-law in the field of labor law, Romanian Professor Ţiclea Alexandru in the sense of the vocational training of employees, emphasized that vocational training meant

both the work carried out by a person prior to his employment in order to acquire general culture knowledge and that of specialty, necessary for the pursuit of a profession and for the improvement of such training during the professional activity [13, p.51].

Thus, in our view, the work of training or vocational training for employees is once again a legal and educational institution, which has a strong interconnection with labor law, characterized by a range of actions to be carried out by both employees individually until they are in employment, as well as the employer as a need to develop the business run continuously by increasing the qualification of the work done by trained staff.

Vocational training is a primary individual obligation for employees, because it depends on the level of their qualifications and on conditions which are more advantageous compared to employees who lack professional qualifications, or easier for those without a higher education.

As for the employer, at the level of the local legislation, such an obligation is not imposed on the employer. On the other hand, the organization of vocational training at the level of the unit can be provided by the employer only if he has the time and financial means to carry out such an event.

Concerning the vocational training of employees, in the Labor Code of the Republic of Moldova, in Article 212, paragraph (2) and (3), it is stated that: The training of employees can be presented in two aspects, namely: a) continuous vocational training and b) technical training [2]. In order to be properly perceived, the notions mentioned above, we find it necessary in the following, to present the definitions of the notions raised.

Through continuous vocational training of employees, the Moldovan legislator means any training process in which an employee, already having a qualification or a profession, complements his professional knowledge by deepening his knowledge in a particular field of the basic specialty or by taking on new methods or processes applied in the specialty (Article 212, paragraph (2) of the Labor Code of the Republic of Moldova) [2]. And by the concept of technical training of employees, the legislator means any training system whereby an employee endorses the procedures for applying technical and technological means to the work process (Article 212, paragraph (3) of the Labor Code of the Republic of Moldova) [2].

We believe that both methods of increasing the professional level of employees ensure the development of the unit, which is why the creation of the system of training employees, both now and in the future, will be a necessity rather than a moft of the employer, because, as noted by the Russian author Slobodskoi, A.L., the strategic aim of the staff training system is to facilitate organizational development by achieving the organization's specific aims, which are ensured by the development of human resources in the preparation and organization of vocational education programs [30, p. 5].

So, as said before about the level of professional qualifications of employees will depend not only on the way the works are carried out, but also on the whole image and well-being of the economic unit on the market. In addition, we can add that an economic unit evolves as long as it has the qualified human resources to carry out the work entrusted to them.

As for the legal institution's possibilities of internal normative acts issued by the employer, regarding the procedures for the vocational training of employees, we note that through the institution, the employer is entitled to draw up and issue a set of policies aimed at the vocational training department. The need to adopt a specific set of policies is explained by the fact that human resources with different levels of professional qualification are usually trained in one unit, including: licensees, masters, sometimes even doctors in science.

As reffered above, we believe that the employer should be guided by the following principles in setting up his employee training policies: a) the delimitation of work based on areas of professional qualifications; b) the level of training of employees; c) work experience and complexity of work tasks; d) the need to develop employee skills in different areas of activity that the unit needs; e) other principles/objectives relevant to employee training events.

When drawing up the set of internal regulatory policies of the unit on employee training, we stress that professional needs must be taken into account: beginners, continuous and permanent. The training may be organized in the form of specialized courses, cycles of hours, during which the material required by the establishment to be taken up by contracted human resources will be taught.

In the work of drawing up the internal normative acts on vocational training, the employer shall train the competent specialists in order to establish: a) the references or conditions under which the vocational training procedure for employees will be carried out; b) the principles on which the vocational training of employees will be ensured; c) the periods during which such events are to be organized; d) the professional specializations; e) other conditions which can be determined by the employer on the basis of the principle of disposition, with which, as noted countless times, the legal institution of the internal regulatory acts of the unit is endowed.

Apart from the conditions and factors that the employer must take into account in the training or training of employees, we find relevant the vision expressed in this respect in the literature on the development and motivation of the unit’s staff from the Russian Federation, whose authors recommend the employer the tool of - *coaching* [21, pp. 11-12].

As noted by British researcher Whitmore, John, coaching is the way to highlight human potential in maximising results [36, p.25].

We believe that the application of this instrument is of interest to the vocational training of employees, because in our view, it only pursues one aim: *to increase the quality and volume of work provided by the person working in a unit.*

This definition of Professor Whitmore was detailed by the Russian ideologists, according to which: the coaching in business organizations is a managerial trend, which promotes the idea of motivating employees to make certain changes, with the subsequent establishment of concrete steps on changes and development, nature and frequency depending on the psychological type of man and his level of professionalism, steps that can be achieved by mentoring methods, of the common search for solutions or individual work of the employee [21, p.12].

We do not question the importance of this instrument used in the training of staff, as its application would benefit not only the initial unit but also its employees. We believe that the organization of such measures through internal regulatory regulation by the employer and the joint effort of the responsible persons would be able to make the best use of employees' capacities.

Finally, we would like to add that the institution of the internal regulatory acts which the employer is entitled to issue at the level of the employment unit is the principal and sole legal instrument through which the employer can improve other institutions of labor law by supplementing and regulating, as well as other areas related to the workplace at the level of the unit, by individualizing them and putting them into practice.

3. GENERAL CONCLUSIONS AND RECOMMENDATIONS

The investigations carried out in this scientific approach are of the opinion that they have highlighted the importance and timeliness of the subject. By completing this, we believe that the aim and objectives of the study carried out have been achieved.

Following the investigations carried out in the framework of this scientific approach, it is concluded with the following general conclusions drawn from the analyzes of the legal institution of the internal regulatory acts issued by the employer at the level of the unit, as follows:

1. The legal institution of internal regulatory acts, which the employer can issue at the level of economic unity, is the most successful reflection of the principle of democratization in the area of legal employment relationships. Since, by applying to such a legal instrument, which is entirely separate from the branch of labor law, the employer ensures that its interests, those of the employees and economic unity are carried out in a fair manner [5, p.424].

2. Having examined from several points of view the legal institution of the internal regulatory acts which the employer issues at the level of the unit, we have reached the conclusion

that such an institution was initially a legal instrument, where the employer can address a variety of persistent problems in the field of work, such as: organization of work, pay of work, documentation of legal employment relations, labor standards, labor discipline and disciplinary liability of employees, and the establishment of a variety of systems, through which the employer seeks to establish an equitable harmony in employment relationships (financial and non-financial motivation) within the unit.

3. The institution of the internal normative acts of the unit, in addition to the areas which it is able to organize by internal legal regulation, also has a role in the directives and organization of work at the level of the unit under conditions of competition, where they are present, by the employer's will, following the realization of its right mentioned by law in Article 10, paragraph(1), letter (e) of the Labor Code of the Republic of Moldova [2]. This conclusion is based on the fact that the internal legislation issued by the employer constitutes a directive or a progressive working procedure, which is necessary for the use at unit level by: the employer and the employees in order to achieve the objectives set at the economic unit level.

4. The internal normative acts issued by the employer at the level of the unit are legal acts of a sub-legal nature, which are inferior to the laws. This is reflected by the fact that the employer's internal regulatory compliance also has a number of limitations, namely: the group of subjects, the territorial scope, the regulatory areas and the extent of the employer's commitment to a particular issue in the field of work.

5. The Labor Code of the Republic of Moldova does not expressly enshrine more rights of the employer within the meaning of the institution of the internal normative acts of the unit, but makes some references within institutions of labor law, which allows the employer to pronounce on them in an internal regulatory manner at the level of the unit.

6. Internal regulatory acts issued by the employer at the level of the unit based on the provisions of Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova [2] with their application in the field of work, at the level of Moldovan legislation, have not been defined at present. But thanks to some references in the labor law framework (the Labor Code of the Republic of Moldova) we have inferred the following categories of distinct internal normative acts: orders, regulations, records, instructions, other legal acts.

7. The main legal act, which in our opinion guarantees the most conclusive and explicit reflection on the appearance of internal regulatory legal acts that the employer can issue at unit level – *the regulation*. The legal act presented by the employer in the form of a regulation, in our view, allows the employer to resolve fully a problem arising from legal employment relationships established at the level of the unit.

8. In relation to the categories of legal acts in the field of work, which may be related to the category of internal legal acts of the unit, the preparation and the issue to which the employer is entitled shall be listed as follows: 1) Regulations on the organization and functioning of the internal compartments of the unit (departments, wards, services); 2) employee job sheets; 3) Disciplinary policy of the employees of the unit; 4) Regulations on the way and conditions of use of the business carriage of the unit by employees; 5) staff policy of the unit; 6) staff selection and recruitment policy; 7) employee pay and pay policy; 8) financial and non-financial motivation policy of the unit's employees; 9) other regulations, orders, notes and other legal acts which are of a standard nature to be observed at unit level by employees, issued by decision of the employer, based on the provisions of Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova [2].

9. The internal regulatory acts, which the employer can issue at the level of the unit, are also provision acts. The disposition of the internal normative acts issued by the employer is explained by the fact that the employer, being the sole guarantor of working conditions, is also equipped with the right of disposal in the field of employment, subject to the provisions laid down by the labor law. Thus, the employer's right of disposition is best realized by applying it to the provisions of Article 10, paragraph (1), letter(e) of the Labor Code of the Republic of Moldova [2].

10. At present, the labor law level of the Republic of Moldova, the employer's rights and obligations within the scope of internal normative regulation are not expressly and in full volume.

11. The institution of internal regulatory acts, which the employer issues at unit level, besides its legal status, also recognizes a variety of interconnections with other areas such as: economic, technical, others. Thus, the legal institution concerned, having as a powerful benchmark its ability of the employer, allows us to emphasize to the employer a variety of situations arising in connection with the administration of: human resources, the management system, the internal organization of the unit, as well as other situations which concern the human resources of the unit.

12. At the moment, at the level of legal employment relationship, the moldavian legislator refrained from expressely presenting the institution of the internal normative acts of the unit, issued by the employer. Following this conclusion, we mention that some rights and obligations of the employer in the procedure of issuing internal normative acts of the unit, can be gathered in the legislative framework of labor. However, other rights and obligations we must deduct by ourselves.

13. Looking at the whole of the labor law of the Republic of Moldova, we have concluded that the institution of internal regulatory acts that the employer can issue at the level of the unit can penetrate without prejudice to the regulations and spirits of institutions distinct from labor law. Thus, in the situation described, the institution of the internal regulatory acts of the unit is called upon to supplement certain legal rules in situations where they are applied in practice at the level of the unit by the employer, applying them at unit level, taking into account all the particularities involved in work at the level of a concrete economic unit.

14. The practical appearance of the unit's internal regulatory acts, with their application in the field of work, is totally an absolute right of the employer, guaranteed to him by the legal provisions laid down in Article 10, paragraph (1), letter (e) of the Labor Code of the Republic of Moldova[2].

Following the complex and first-time investigations for the doctrine of moldovan labor law, and based on the conclusions reached, we come up with some recommendations in order to make the legal framework concerning the institution of the internal normative acts of the unit more effective, which the employer is entitled to issue:

1.*"De lege ferenda",* we consider it necessary to include the following chapter in the Labor Code of the Republic of Moldova, titled: *The institution of the internal normative acts of the unit to be issued by the employer,* that will be based on 13 articles, in which the entire practical stringency is structured and systematized, necessary to be observed by the employer in cases of practical expression of the said institution.

As recommendations and arguments to our project of completion of the Labor Code of the Republic of Moldova, the following is presented:

1. The legislation of the moldovan labor , nor has it evolved in the chapter of the democratization of the legal employment relations in its express way. Such a fact remains a task for people who are particularly familiar with both legislation and the doctrine of labor law. In other words, the frequent presence of certain categories of internal regulatory acts at the level of the unit is the result of the deductions and recommendations made by specialists in the field, which employers consult and apply the recommendations in the social legal working life at the level of the managed economic units.

2. But considering that the recommendations of labor law practitioners are often controversial in the chapter of the institution of the internal normative acts of the unit, we believe that the only solution, which will also establish a unitary legal framework, is to include by express definition in the content the Labor Code of the Republic of Moldova, the institution of the internal normative acts of the unit, in the way we propose.

3. Given that the internal normative acts which the employer issues at unit level are of sublegal character, inferior to the legislative acts, we consider that the express definition of the legal force at the level of law, of the subjects, of the area of aplicability of the namely legal acts, will ensure the removal of the controversial opinions and visions met in the practice of the internal normative regulation of the legal employment relationship.

4. Taking into account that the institution of internal normative acts, which has , which has a dispositional character, takes place through the formal manifestation of the employer's will, we believe that the express regulation of such an institution at the level of the law will determine the possibilities of the employer, to create an effective and competitive management system applicable in the area of legal employment relations.

5. As a category of legal relationships, where the most illustrative element of individuality persists, which is also included in the name of the basic legal act such as: *"the individual employment contract"*, we find it important to emphasize that, in the context of employment relationships, labor relationships will continue to be stronger as a result of individuality, which is explained by individual substantial regulations that take place between the parties to the employment contract, and not least by the employer. Thus, besided the above, the institution of the internal normative acts of the unit can support such approaches in a legal sense again.

6. As we are in the legal field, we find it extremely important that legal liability is also established for such activity, such as the one to elabor ate and implement the internal normative acts of the unit, which is something we have unfortunately not established at the moment.

Our argument to such a problem arises this time from the idea that: a certain legal circuit cannot be ensured without setting up legal responsibility on the subjects called to apply the law.

7. By complementing the Labor Code of the Republic of Moldova with our "*de lege ferenda"* recommendation, we believe that by such an approach, the specialized doctrine will revive , proposing through such an angle of the legislator, to the public a variety of new investigations. Moreover, since labor law is not a static legal framework, it needs to be complemented by new regulations, which come from the currents of national and international social economic and legal realities. And in such a finding we believe that the institution of the internal normative acts of the unit will allow employers to create harmonious regulatory frameworks in order to maintain a legal-economic climate favorable to the human resources contracted for work purposes.

4. ANNOTATION (in romanian, russian and english)

ADNOTARE

GAMUREAC, Alexandru. Actele normative și cele dispozitive aplicabile raporturilor juridice de muncă în unitate. Teză de doctor în drept. Școala Doctorală în Drept, Științe Politice și Administrative a Consorțiului Instituțiilor de Învățământ ASEM și USPEE.Chișinău, 2021

Structura tezei: teza a fost perfectată în perioada anilor 2019-2020, având următoarea structură: introducere, ca parte descriptivă a problemei stabilite spre cercetare, trei capitole, concluzii generale și recomandări, 280 de pagini text de bază, bibliografie din 300 titluri, 4 anexe.

Rezultatele obținute: la tema tezei sunt formulate și publicate 18 lucrări științifice.

Cuvinte-cheie: act normativ intern al unității, angajator, regulament, ordin, dreptul de dispoziție a angajatorului, document, act juridic unilateral a angajatorului, documentarea raporturilor juridice de muncă, fișa de post a salariatului, legiferarea normativ-internă a angajatorului, completarea cadrului legislativ a muncii, îmbunătățirea condițiilor de muncă, organizarea muncii, condiții suplimentare.

Domeniul de studiu: specialitatea: 553.05 – Dreptul muncii și protecției sociale.

Interconexiuni cu alte domenii de studiu: Management, managementul resurselor umane, economie, legistica formală, psihologie organizațională, altele.

Scopul și obiectivele lucrării: scopul tezei constă în abordarea complexă, multiaspectuală, interdisciplinară și corespunzătoare a instituției dreptului muncii a actelor normative interne pe care angajatorul este în drept să le emită la nivelul unității în baza art.10 alin.(1) lit.e) din Codul muncii al RM. De asemenea, s-a propus ca obiectiv studierea aprofundată a naturii juridice, drepturilor și limitelor angajatorului în procedurile de emitere a actelor normative interne la nivelul unității, modalitățile înfățișare juridico-formală a reglementărilor normative interne ale unității pentru sfera muncii, posibilitățile de înfățișare ori dezvoltare a altor instituții de dreptul muncii prin intermediul instituției actelor normative interne pe care angajatorul este în drept să le emită prin prisma opiniilor doctrinare, legislației naționale, cât și practicii judiciare străine.

Noutatea și originalitatea științifică a lucrării: constă în formularea concluziilor și recomandărilor relevante de ordin teoretico-practic și formularea propunerilor "*de lege ferenda"* în scopul modernizării și democratizării legislației muncii autohtone. Totodată, prezenta investigație pune în discuție în premieră pentru doctrina dreptului muncii autohton, un subiect atât de sensibil și controversat în practică cum este instituția actelor normative interne pe care angajatorul este în drept să le emită la nivelul unității, punând accent pe subiectele ce vizează: interpretarea normelor legale de rigoare, definirea categoriilor de acte juridice ce necesită a fi clasificate ca și acte normative interne ale unității, alte subiecte, precum și înnaintarea Parlamentului RM a unui bloc de prevederi legale cu titlu "*de lege ferenda"*, în scopul democratizării și îmbunătățirii cadrului legislativ-normativ al muncii.

Problematica științifică soluționată: constă în abordarea conceptuală și multidimensională a instituției actelor normative interne ale unității pe care angajatorul este în drept să le emită la nivelul unității prin: identificarea elementelor componente ale instituției actelor normative interne ale uității, definirii naturii juridice, structurii arhitectural-constructive a actului normativ intern al unității, definirii posibilităților de interconexiune instituției actelor normative interne cu alte instituții a dreptului muncii, caracterizării dreptului de dispoziție a angajatorului în sfera muncii prin prisma reglementării normative interne a unor probleme din sfera muncii.

Semnificația teoretică a lucrării: constă în specificitatea abordării temei supuse cercetării, precum și definirii importanței teoretice și practice a instituției actelor normative interne ale unității pe care angajatorul este în drept să le emită la nivelul unității pentru sfera muncii, în special la capitolul organizării și documentării relațiilor juridice de muncă.

Valoarea aplicativă a lucrării: constă în interpretarea corespunzătoare a normelor legale în materia documentării relațiilor juridice de muncă, ceea ce va contribui la realizarea unui proces adecvat în practica relațiilor juridice de muncă, de către specialiștii preocupați de formalizarea raporturilor juridice de muncă. Totodată considerăm că propunerile *"de lege ferenda"* formulate, rezultate urmare cercetărilor efectuate, vor fi de mare utilitate legiuitorului în proiectele de modificare a legislației muncii.

Implimentarea rezultatelor științifice: Urmare realizării studiului dat, rezultatele științifice pot fi utilizate în vederea îmbogățirii doctrinei de specialitate a Republicii Moldova, cât și în vederea democratizării prin modernizare a legislației muncii naționale. Deasemenea, prezentul studiu poate fi folosit cu încredere în procesul educațional în cadrul instituțiilor de învățământ superior de profil juridic și cel economic, și de către practicienii dreptului muncii.

АННОТАЦИЯ

ГАМУРЯК Александр. Нормативные и диспозитивные акты, применяемые к трудовым правоотношениям на предприятии. Диссертация на соискание ученой степени доктора права. Докторская Школа Права, Политических и Административных Наук Консорциум Учебных Заведений "АЭНМ" и "УСПЕЕ" им. К.Стере, Кишинев, 2021

Структура исследования: диссертация была написанна в период 2019-2020 годов, имея следующую структуру: введение, три главы, общие выводы и рекомендации, список литературы состоящий из 254 источников, 3 приложения, 218 страниц основного текста.

Результаты исследования: опубликованны в 17 научных трудах.

Ключевые слова: внутренный нормативный акт, работодатель, регламент, приказ, нормативно-правовая диспозиция работодателя, документ, односторонний юридический акт работодателя, документирование трудовых правоотношений, должностная инструкция, нормативно-внутренее правотворчество работодателя, дополнение законодательства о труде, улучшение условий труда, документирование процесса организации труда.

Область исследования: специальность 553.05 – Трудовое право и социальная защита.

Смежные области исследования: Менеджмент, менеджмент человеческих ресурсов, экономика, Юридическое нормотворчество.

Цель и задачи исследования: рассмотреть комплексный, многоаспектный, междисциплинарный и соответствующий подход к институции трудового права о нормативно-внутренних актах, которые работодатель имеет право издавать на уровне предприятия на основании ст. 10 ч. (1) пкт. е) Трудового кодекса Республики Молдова. Также было предложено в качестве цели углубленное изучение правовой природы, прав и ограничений работодателя в процедурах издания внутренних нормативных актов на предприятии, форм юридического оформления нормативно-внутренних положений, с целью развития других институтов трудового права посредством институции внутренних нормативных актов, которые работодатель имеет право издавать на уровне предприятия, с точки зрения доктринальных заключений, национального законодательства, а также зарубежной судебной практики.

Новизна и оригинальность научного исследования: заключается в формулировании соответствующих теоретических и практических выводов, рекомендаций, а также в формулировке предложений "de lege ferenda" с целью модернизации и демократизации национального трудового законодательства. В то же время в настоящем исследовании впервые для доктрины молдавского трудового права обсуждается такая деликатная и противоречивая на практике тема, как институт нормативно-внутренних актов, которые работодатель имеет право издавать на уровне предприятия, уделяя особое внимание таким вопросам как: толкование необходимых правовых норм, определение категорий правовых актов, которые необходимо отнести к нормативно-внутренним актам предприятия, другие темы, а также представление в Парламент Республики Молдова предложения о модерницазии Трудового Кодекса РМ, посредством внесения изменений предложенными нами в качестве "de lege ferenda", в целях демократизации и совершенствования законодательно-нормативной применяемой к трудовым правоотношениям.

Решенная научная проблема: состоит в концептуальном и многомерном подходе к институту нормативных внутренних актов предприятия, которые работодатель имеет право издавать, путем определения: компонентов института нормативно-внутренних актов, правовой природы, архитектурно-конструктивной структуры нормативно-внутреннего акта предприятия, определения возможности взаимосвязи (дополнения или развития) посредством институции нормативно-внутренних актов других институций трудового права, характеристики права работодателя распоряжаться в сфере труда посредством издания нормативно-внутренних актов направленных на регулирование трудовых правоотношений на предприятии.

Теоретическое значение исследования: заключается в специфическом подходе исследования, а также в определении теоретической и практической значимости институции внутренних нормативных актов предприятия, которые работодатель имеет право издавать во благо полного и правильного документирования трудовых правоотношений на предприятии.

Прикладное значение исследования: заключается в правильном толковании правовых норм, касающихся документирования трудовых правоотношений, во благо способствованию реализации адекватного процесса документирования трудовых правоотношений на практике специалистами, занимающимися оформлением трудовых отношений. В то же время мы считаем, что предложения "de lege ferenda", сформулированные в результате проведенного исследования, будут очень полезны законодателю в проектах по внесению изменений в национальное трудовое законодательство.

Внедрение научных результатов: полученные в ходе исследования научные результаты могут быть использованы для обогащения доктрины трудового права Республики Молдова, а также для демократизации путем модернизации национального трудового законодательства. Также данное исследование может с уверенностью использоваться в образовательном процессе в вузах юридического и экономического профиля, а также практиками трудового права.

ANNOTATION

GAMUREAC, Alexandru. Normative acts and provisions applicable to legal employment relationships in the unit. Doctoral thesis in law. Doctoral School in Law, Political and Administrative Sciences of the Consortium of ASEM and USPEE Educational Institutions. Chisinau, 2021.

Thesis structure: the thesis was completed during 2019-2020, having the following structure: introduction, as a descriptive part of the problem established for research, three chapters, general conclusions and recommendations, 250 pages of basic text, bibliography of 300 titles, 4 Annexes.

The results obtained: on the topic of the thesis are formulated and published 18 scientific papers.

Keywords: internal normative act of the unit, employer, regulation, order, employer's right of disposal, document, unilateral legal act of the employer, documentation of legal employment relations, employee job description, normative-internal legislation of the employer, completion labor law framework, improving working conditions, work organization, additional conditions.

Field of study: specialty: 553.05 - Labor law and social protection.

Interconnections with other fields of study: Management, human resources management, economics, formal logistics, organizational psychology, others.

The purpose and objectives of the paper: the purpose of the thesis is to address the complex, multiaspectual, interdisciplinary and appropriate approach of the labor law institution to the internal normative acts that the employer is entitled to issue at the unit level based on art.10 paragraph (1) letter e) of the Labor Code of the Republic of Moldova. It was also proposed as an objective the in-depth study of the legal nature, rights and limits of the employer in the procedures for issuing internal normative acts at the unit, the modalities of legal-formal appearance of the internal normative regulations of the unit for the work sphere. other labor law institutions through the institution of internal normative acts that the employer is entitled to issue in terms of doctrinal opinions, national legislation and foreign judicial practice.

The novelty and scientific originality of the paper: it consists in formulating the relevant conclusions and recommendations of a theoretical-practical nature and formulating the proposals of lege ferenda in order to modernize and democratize the local labor legislation. At the same time, this investigation discusses for the first time for the doctrine of local labor law, a subject as sensitive and controversial in practice as the institution of internal regulations that the employer is entitled to issue at the unit level, focusing on topics related to: interpretation of the necessary legal norms, definition of the categories of legal acts that need to be classified as internal normative acts of the unit, other topics, as well as submission to the Parliament of the Republic of Moldova of a block of legal provisions as ferenda law, in order to democratize and improve the framework legislative-normative work.

Scientific problem solved: consists in the conceptual and multidimensional approach of the institution of internal normative acts of the unit that the employer is entitled to issue at the unit level by: identifying the components of the institution of internal normative acts of forgetfulness, defining the legal nature, architectural-constructive structure of the internal normative act of the unit, defining the possibilities of interconnection of the institution of internal normative acts with other institutions of labor law, characterization of the employer's right to dispose in the field of labor through the prism of internal normative regulation of labor issues.

Theoretical significance of the paper: consists in the specificity of the approach to the research topic, as well as the definition of the theoretical and practical importance of the institution of internal normative acts of the unit that the employer is entitled to issue at unit level for work, especially in terms of organization and documentation legal labor relations.

The applicative value of the paper: consists in the proper interpretation of the legal norms in the matter of documenting the labor legal relations, which will contribute to the realization of an adequate process in the practice of labor legal relations, by the specialists concerned with the formalization of the labor labor relations. At the same time, we consider that the proposals of the ferenda law formulated, resulting from the researches carried out, will be of great utility to the legislator in the projects for amending the labor legislation.

Implementation of scientific results: Following the study, the scientific results can be used to enrich the specialized doctrine of the Republic of Moldova, as well as to democratize by modernizing national labor law. Also, this study can be used with confidence in the educational process in higher education institutions of legal and economic profile, and by labor law practitioners.

5. BIBLIOGRAPHY

I. Bibliographical references in romanian:

1.Constituția Republicii Moldova, nr. 01 din 29-07-1994, În: Monitorul Oficial al Republicii Moldova nr.01 din 12.08.1994 [online]. Disponibil: https://www.legis.md/cautare/getResults?doc_id=111918&lang=ro.

2.Codul Muncii al Republicii Moldova, nr.154 din 28.03.2003, În: Monitorul Oficial al Republicii Moldova nr.159-162 din 29-07-2003 [online]. Disponibil: http://www.legis.md/cautare/getResults?doc_id=113032&lang=ro.

3.AVORNIC, Gheorghe. Tratat de teoria generală a statului și dreptului: (în două volume).Vol.II. Chișinău: (F.E.P."Tipografia Centrală"), 2010. p.184. ISBN 978-9975-78-865-6.

4.To be seen: BURDUȘ, Eugen., POPA, Ion. Metodologii manageriale. Ed.a 2-a. București: Pro Universitaria, 2018. ISBN 978-606-26-0881-1.

5.GAMUREAC, Alexandru. Actele normative emise la nivelul unității - instrument al promovării principiului democratismului în cadrul relațiilor de muncă. În: "Contribuția tinerilor cercetători la dezvoltarea administrației publice", conferința științifico-practică internațională, Chișinău, 2018. Materialele conferinței științifico-practice internaționale, 23 februarie 2018.Com.org.Oleg Balan. Ed: S.n. (Tipogr."Garomont-Studio") Chișinău, 2018. p.424. ISBN 978-9975-136-69-3.

6.HG RM nr.95 din 05.02.2009 pentru aprobarea unor acte normative privind implimentarea Legii securității și sănătății în muncă nr.186-XVI din 10 iulie 2008, În: Monitorul Oficial al Republicii Moldova nr.34-36 din 17.02.2009 [online]. Disponibil: https://www.legis.md/cautare/getResults?doc_id=9544&lang=ro.

7.Legea RM nr.100 din 22.12.2017 cu privire la actele normative, În: Monitorul Oficial al Republicii Moldova nr.7-17 din 12.01.2018 [online]. Disponibil: https://www.legis.md/cautare/getResults?doc_id=105607&lang=ro#.

8.Legea RM nr.186 din 10.07.2008 securității și sănătății în muncă, În: Monitorul Oficial al Republicii Moldova nr.143-144 din 05.08.2008 [online]. Disponibil: http://www.legis.md/cautare/getResults?doc_id=110580&lang=ro#.

9.MAZILU, Dumitru. Teoria generală a dreptului. București: ALL BECK, 1999. p.150. ISBN 973-9435-30-0.

10.PANAITE, S.V. Dreptul individual al muncii: curs universitar. București:"Hamangiu", 2016. p. 21. ISBN 978-606-27-0733-0.

11.PÂNIȘOARĂ, G., PÂNIȘOARĂ, I.O. Managementul resurselor umane: ghid practic. Ed.a 2-a. Iași: "Polirom", 2010. p. 40. ISBN 973-46-0070-2.

12.ROMANDAȘ, Nicolae, GAMUREAC, Alexandru. Contractul individual de muncă – condiție fundamentală a reglementării raporturilor juridice de muncă. In: Administrarea Publică. 2017, nr. 1(93), pp. 49-57. ISSN 1813-8489 [online]. Disponibil: https://ibn.idsi.md/sites/default/files/imag_file/49_57_Contractul%20individual%20de%20munca%20%E2%80%93%20conditie%20fundamentala%20a%20reglementarii%20raporturilor%20juridice%20de%20munca.pdf p.49.

13.ȚICLEA, Alexandru. Tratat de jurisprudență în materia dreptului muncii. București: "Universul Juridic", 2011. p.51. ISBN 978-973-127-464-5.

14.VARTOLOMEI, B. O. Dreptul muncii: curs universitar. București: Universul Juridic, 2016. p.257. ISBN 978-606-673-774-6.

15.See: 1. A doua independență a Republicii Moldova [online]. Disponibil: https://ro.wikipedia.org/wiki/Republica_Moldova#Prima_independen%C8%9B%C4%83;

2. Cronologia Republicii Moldova [online]. Disponibil: https://ro.wikipedia.org/wiki/Cronologia_Republicii_Moldova.

II. Bibliographical references in russian:

16.АНТОНОВА, Л. И. Локальное правовое регулирование (теоретическое исследование). Ленинград: Издательство Ленинградского университета, 1985. p.11.

17.Vezi: АНДРЮХИН, Е. А. Предпринимательская деятельность советских граждан в 60-80 – х гг.XX века, În: ИЗВЕСТИЯ. Журнал теоретических и прикладных исследований Алтайского Государственного Университета. Алтай, 2010. 4-1(68) 2010. pp.19-23. ISSN 1561-9451 [online]. Disponibil: http://izvestia.asu.ru/2010/4-1/hist/TheNewsOfASU-2010-4-1-hist-03.pdf .

18.АРМСТРОНГ, Майкл. Практика управления человеческими ресурсами. 10-е издание. Перевод с анлийского языка под ред. С.К. Мордовина. Санкт-Петербург: Питер, 2010. p.20. ISBN 978-5-91180-771-9.

19.АНТОНОВА, Л. И. Вопросы теории локального правового регулирования: Автореф. дис. канд. юрид. наук. Москва, 1988. p.78, În: МАЛЕНКО, Т.В. Локальный нормативный акт в системе объектов правового мониторинга, În: Журнал российского права. Москва: Юридическое издательство «Норма», 2010. №1 (157). p.54. ISSN 1605-6590 [online]. Disponibil: https://cyberleninka.ru/article/n/lokalnyy-normativnyy-akt-v-sisteme-obektov-pravovogo-monitoringa (accesat la: 24.05.2019).

20.БАУКЕН, А. А. Место актов локального технико-правового регулирования в системе локальных нормативных актов, În: Вестник Южно-уральского государственного университета. Серия: Право.Челябинск: ЮУГУ, 2014. №1. p.11. ISSN: 2412-0588 [online]. Disponibil: https://cyberleninka.ru/article/n/mesto-aktov-lokalnogo-tehniko-pravovogo-regulirovaniya-v-sisteme-lokalnyh-normativnyh-aktov (accesat la: 24.05.2019).

21.ИВАНОВА, Светлана., БОЛДОГОЕВ, Дмитрий., БОРЧАНИНОВА, Эмма., ГЛОТОВА, Анна., ЖИГИЛИЙ, Оксана. Развитие потенциала сотрудников: Профессиональные компетенции, лидерство, коммуникации.7-е издание. Москва: Альпина Паблишер, 2018. p.12. ISBN 978-5-9614-7008-6.

22.КАРСЕТСКАЯ, Е. В. Кадровый документооборот: локальные нормативные акты организации. Москва: АйСи Групп, 2011. p.2. ISBN 978-5-903443-55-0.

23.КАЧУР, А. Н., ЯЦЫШИН, Д. В., КАЧУР, И. А. К вопросу о локальном правовом регулировании труда. În: Журнал Инновационная наука/ Право. Уфа: ООО Аэтерна, 2015. №12-3. p.135. ISSN 2410-6070 [online]. Disponibil: https://cyberleninka.ru/article/n/k-voprosu-o-lokalnom-pravovom-regulirovanii-truda (accesat la 14.06.2019).

24.КОНДРАТЬЕВ, Р. И. Локальные нормы трудового права и материальное стимулирование. Львов, 1973. p. 45; Același autor: Локальное правовое регулирование трудовых отношений в СССР: Автореф. дис. д-ра юрид. наук. Москва, 1979. pp.20–21, În: ЛУШНИКОВ, А.М., ЛУШНИКОВА, М.В. Курс трудового права: Учебник: в 2 Томах. Том 1. Сущность трудового права и история его развития. Москва: Статут, 2009. p.563. ISBN 978-5-8354-0527-5.

25.КОМАРОВ, С. А., МАЛЬКО, А. В. Теория государства и права. Москва, 1999. p.317, În: АДАМЯН, Г. В. Соотношение понятий источников и форм корпоративного права, În: Журнал Право и современные государства. Москва: Фонд консалтинга и правовой защиты населения,2014. №3. p.29. ISSN: 2307–3306 [online]. Disponibil: https://cyberleninka.ru/article/n/sootnoshenie-ponyatiy-istochnikov-i-form-korporativnogo-prava (accesat la: 24.05.2019).

26.КОБЕЦ, Е. В., КОБЕЦ, С. В. Организация труда как социотехническая система. În: Журнал Известия Южного федерального университета. Технические науки // Экономика и бизнес. Ростов-на-Дону: ЮФУ, 2011. №11. p.32. ISSN 2311-3103 [online]. Disponibil: https://cyberleninka.ru/article/n/organizatsiya-truda-kak-sotsiotehnicheskaya-sistema (accesat la: 14.06.2019).

27.ЛУШНИКОВ, А. М., ЛУШНИКОВА, М. В. Курс трудового права: Учебник: В 2 Томах. Том. 1. Сущность трудового права и история его развития. Москва: Статут, 2009. p.563. ISBN 978-5-8354-0527-5.

28.МАЛЕНКО, Т. В. Локальный нормативный акт в системе объектов правового мониторинга, În: Журнал российского права. Москва: ООО «Юридическое издательство «НОРМА», 2010. №1 (157). p.54. ISSN 1605-6590 [online]. Disponibil: https://cyberleninka.ru/article/n/lokalnyy-normativnyy-akt-v-sisteme-obektov-pravovogo-monitoringa (accesat la: 14.06.2019).

29.ПИРОГОВ, Е. Ю. Локальное правотворчество: определение состава. În: Журнал Общество и право. Краснодар, 2019. №4 (70) p.139. ISSN 1727-4125 [online]. Disponibil: https://cyberleninka.ru/article/n/lokalnoe-pravotvorchestvo-opredelenie-sostava.

30.СЛОБОДСКОЙ, А.Л. Обучение персонала организаций: учебное пособие. Санкт-Петербург: Изд-во: СПбГЭУ, 2013. p.5. ISBN 978-5-7310-2914-8 [online]. Disponibil: https://mck72.ru/files/4592/4.4_%D0%A3%D1%87%D0%B5%D0%B1%D0%BD%D0%B8%D0%BA_%D0%BA%D0%BE%D1%80%D0%BF%D0%BE%D1%80%D0%B0%D1%82%D0%B8%D0%B2%D0%BD%D0%BE%D0%B5_%D0%BE%D0%B1%D1%83%D1%87%D0%B5%D0%BD%D0%B8%D0%B5.pdf.

31.ТОМАШЕВСКИЙ, К. Л. Системы источников трудового права государств - членов ЕАЭС: теория и практика. дис. д-ра юр.наук. Москва, 2018. p.218 [online]. Disponibil: http://www.dslib.net/trud-pravo/sistemy-istochnikov-trudovogo-prava-gosudarstv-chlenov-eajes-teorija-i-praktika.html.

32.Трудовое право. Под редакцией СМИРНОВА, О.В. Учебник. Издание третье (переработанное и дополненное). Москва: Изд. “ПРОСПЕКТ”, 2000. p.49. ISBN 5-8369-0031-0.

33.Трудовое право России: учебник. Отв. ред-ры ОРЛОВСКИЙ, Ю.П., НУРТДИНОВА, А.Ф. Москва: Юридическая фирма «КОНТРАКТ», «ИНФРА-М», 2008. p.74. ISBN 978-5-98209-028-7.

34.Трудовой кодекс Российской Федерации от 30.12.2001 N 197-ФЗ (ред. от 02.08.2019) [online]. Disponibil: http://www.consultant.ru/cons/cgi/online.cgi?req=doc&base=LAW&n=330790&fld=134&dst=129,0&rnd=0.8017522971378066#07802669035613174.

35.ТИХОМИРОВА, Т. П., ЧУЧКАЛОВА, Е. И. Организация, нормирование и оплата труда на предприятии: учебное пособие. Екатеринбург: ГОУ ВПО «Рос.гос.проф.-пед.ун-т», 2008. p.12. ISBN 978-5-8050-0339-5.

36.УИТМОР, Джон. Коучинг: Основные принципы и практики коучинга и лидерства. Перевод с английского. Москва: Альпина Паблишер, 2018. p.25. ISBN 978-5-9614-7093-2.

37.To be seen: 1. АНТОНОВА, Л.И. Локальное правовое регулирование. Ленинград: Издательство Ленинградского университета, 1985; **2.** ПРЯЖЕННИКОВ, М.О. Локальное регулирование в сфере труда: теоретико-правовой аспект. дис.д-ра юр.наук. Москва, 2018. p.14 [online]. Disponibil: https://msal.ru/upload/main/00disser/2016/Pryazhennikov/%D0%94%D0%B8%D1%81%D1%81%D0%B5%D1%80%D1%82%D0%B0%D1%86%D0%B8%D1%8F%20%D0%9F%D1%80%D1%8F%D0%B6%D0%B5%D0%BD%D0%BD%D0%B8%D0%BA%D0%BE%D0%B2.pdf;
3. КОНДРАТЬЕВ, Р.И. Локальные нормы трудового права и материальное стимулирование.Львов: Издательское объединение “ВИЩА ШКОЛА“, Издательство при Львовском Государственном Университете, 1973. pp.160.

38.To be seen: Конкретизация законодательства как технико-юридический прием нормотворческой, интерпретационной, правоприменительной практики: Материалы Международного симпозиума (Геленджик, 27—28 сентября 2007 г.) / Под ред. В. М. Баранова. Н. Новгород, 2008, În: МАЛЕНКО, Т. В. Локальный нормативный акт в системе объектов правового мониторинга, În: Журнал российского права. Москва: ООО «Юридическое издательство «НОРМА», 2010. №1 (157). p.54. ISSN 1605-6590 [online]. Disponibil: https://cyberleninka.ru/article/n/lokalnyy-normativnyy-akt-v-sisteme-obektov-pravovogo-monitoringa (accesat la: 14.06.2019).

39.To be seen: 1. ЕГОРШИН А. П., ЗАЙЦЕВ, А. К. Организация труда персонала: Учебник. Москва: “ИНФРА-М”. Серия: Высшее образование, 2008. ISBN 978-5-16-003178-1;

2. ЧЕРНЯК, Т. В. Основы организации труда: учебное пособие. Новосибирск: “СибАГС”, Сибирский институт управления, 2014. ISBN 978-5-8036-0626-0.

GAMUREAC, ALEXANDRU

NORMATIVE AND DISPOSITIONAL ACTS APPLICABLE TO THE LEGAL EMPLOYMENT RELATIONS IN THE UNIT

553.05 –THE LABOR AND SOCIAL PROTECTION LAW

The summary of the doctoral dissertation in law

Approved for printing: *date* Paper form 60x84 1/16
Offset paper. Offset print. Circulation … samples…
Printing sheets.: … Order nr. ….

Name and address of the institution where the summary was printed