

REMOTE WORK AS A METHOD OF LABOR PROTECTION IN PERIODS OF PUBLIC HAZARD

Serghei CHUCHA

PhD in Law, University Professor, Institute of State and Law, Russian Academy of Sciences,
Moscow, Russian Federation

e-mail: chuchaigpan@gmail.com

<https://orcid.org/0000-0001-5771-6323>

The study made it possible to consider distance work as a event within the labor protection institute. The results of the study make it possible to make clarifications and additions to the existing scientific ideas about the genesis of this institution of labor law and labor legislation. The prerequisites for the modernization of the legal regulation of distance work are revealed: the actual and widespread emergence of the corresponding economic relations; development of technological conditions for widespread use of remote work; adoption and approbation of legislation allowing remote registration of the emergence, change and termination of labor relations. The improvement of legislation took place in the conditions of self-isolation caused by the coronavirus pandemic, in the conditions of the forced digitalization of public relations, in the conditions of the constitution of social partnership in the world of work and the intensification of the application of its principles and mechanism in the practice of rule-making. Prospects for the legal regulation of distance work as an institution are associated with its extension to all categories of the precariat, as well as to all cases of the use of dependent labor. As a part of the labor protection institute, remote work has every chance of first spreading to new forms of dependent labor that have arisen and are emerging in a changing society in the process of preparing for the transition to the sixth technological order (platform employment, labor of economically dependent self-employed contractors, etc.). To do this, this institution should introduce the maximum possibility of differentiating the legal regulation of the relevant relations.

Keywords: remote work, labor protection, employer, employee, social partnership, social dialogue, electronic document.

MUNCA DE LA DISTANȚĂ CA METODĂ DE PROTECȚIE A MUNCII ÎN PERIOADE DE RISC PUBLIC

Prezentul studiu ne-a permis să constatăm că munca la distanță este un eveniment sistematic în cadrul institutului de protecție a muncii. Rezultatele studiului permit să efectuăm unele clarificări și completări la ideile științifice existente despre geneza acestei instituții a dreptului la muncă și a legislației muncii. Sunt relevate premisele pentru modernizarea reglementării legale a muncii la distanță: apariția efectivă și pe scară largă a relațiilor economice corespunzătoare; dezvoltarea condițiilor tehnologice pentru utilizarea muncii la distanță; adoptarea și aprobarea legislației care să permită înregistrarea de la distanță a apariției, modificării și încetării raporturilor de muncă. Îmbunătățirea legislației a avut loc în contextul regimului de autoizolare cauzat de pandemia de coronavirus, în condițiile digitalizării forțate a relațiilor publice, constituirii parteneriatului social în lumea muncii și intensificarea aplicării principiilor și mecanismului acestuia în practica de stabilire a regulilor. Perspectivile reglementării legale a muncii la distanță ca instituție sunt asociate cu extinderea acesteia la toate categoriile de precariat, precum și la toate cazurile de utilizare a muncii dependente. Ca parte a institutului pentru protecția muncii, munca la distanță are toate șansele să se răspândească mai întâi prin noi forme de muncă dependentă care au apărut și apar într-o societate aflată în schimbare, în procesul de pregătire pentru tranziția la cea de-a șasea ordine tehnologică (angajare pe platformă, forța de muncă a antreprenorilor dependenți din punct de vedere economic

etc.). Această instituție ar trebui să introducă posibilitatea maximă de diferențiere a reglementării juridice a relațiilor relevante.

Cuvinte-cheie: muncă la distanță, protecția muncii, angajator, angajat, parteneriat social, dialog social, document electronic.

LE TRAVAIL À DISTANCE COMME MÉTHODE DE PROTECTION DU TRAVAIL EN PÉRIODE DE DANGER PUBLIC

L'étude a permis de considérer le travail à distance comme un événement systématique au sein de l'Institut de protection du travail. Les résultats de l'étude permettent d'apporter des éclaircissements et des compléments aux idées scientifiques existantes sur la genèse de cette institution du droit du travail et de la législation du travail. Les préalables à la modernisation de la régulation juridique du travail à distance sont révélés : l'émergence effective et généralisée des relations économiques correspondantes ; développement de conditions technologiques pour une utilisation généralisée du travail à distance; adoption et approbation d'une législation permettant l'enregistrement à distance de l'apparition, de la modification et de la cessation des relations de travail. L'amélioration de la législation a eu lieu dans le contexte du régime d'auto-isolement provoqué par la pandémie de coronavirus, dans les conditions de la numérisation forcée des relations publiques, dans les conditions de la constitution du partenariat social dans le monde du travail et de l'intensification de l'application de ses principes et de son mécanisme dans la pratique de l'élaboration des règles. Les perspectives d'une régulation légale du travail à distance en tant qu'institution sont associées à son extension à toutes les catégories de précarité, ainsi qu'à tous les cas de recours au travail salarié. Intégré à l'Institut de protection du travail, le travail à distance a toutes les chances de s'étendre d'abord à de nouvelles formes de travail salarié apparues et émergentes dans une société en mutation et en train de préparer le passage au sixième ordre technologique (emploi de plate-forme, travail d'entrepreneurs indépendants économiquement dépendants, etc.). Pour ce faire, cette institution devrait introduire la possibilité maximale de différencier la réglementation juridique des relations pertinentes.

Mots-clés: travail à distance, protection du travail, employeur, employé, partenariat social, dialogue social, document électronique.

ДИСТАНЦИОННАЯ (УДАЛЕННАЯ) РАБОТА КАК СПОСОБ ОХРАНЫ ТРУДА В ПЕРИОДЫ ОБЩЕСТВЕННОЙ ОПАСНОСТИ

Проведённое исследование позволило рассмотреть дистанционный труд как системное мероприятие в составе института охраны труда, что само по себе позволяет внести уточнения и дополнения в имеющиеся научные представления о генезисе этого института трудового права и законодательства о труде. Выявлены предпосылки модернизации правового регулирования дистанционного труда - фактическое и повсеместное возникновение соответствующих экономических отношений, развитие технологических условий для широкого применения дистанционного труда, принятие и апробация законодательства, позволяющего дистанционное оформление возникновения, изменения и прекращения трудовых отношений. Совершенствование законодательства проходило в условиях режима самоизоляции, вызванной пандемией коронавируса, форсированной цифровизации общественных отношений, конституирования социального партнёрства в сфере труда и активизации применения его принципов и механизма в практике нормотворчества. Перспективы правового регулирования дистанционного труда как института связаны с его распространением на все категории прекариата, а также на все случаи применения несамостоятельного труда. Как часть института охраны труда удаленный труд имеет все шансы первоочередного распространения на новые формы несамостоятельного труда, возникшие и возникающие в меняющемся обществе (платформенную, экономически зависимых самозанятых подрядчиков и др.), организации производства и труда в ходе перехода к шестому технологическому укладу. В этой связи, данный институт следует внедрить максимальную возможность дифференциации правового регулирования соответствующих отношений.

Ключевые слова: удаленная (дистанционная) работа, охрана труда, работодатель, работник, социальное партнерство, социальный диалог, электронный документ.

Introduction

It is difficult to ensure the quality of life necessary in modern society and the level of social justice required by citizens, neglecting modern trends that are characteristic of the period of a global change in the technological order, evading or lagging behind in the legal regulation of actually emerging economic and social relations, especially relations that tend to become more widespread, such as remote labour. A study by the McKinsey Institute of more than 2,000 activities across more than 800 occupations conducted in nine countries (China, France, Germany, India, Japan, Mexico, Spain, the UK and the US) found that hybrid teleworking models will continue post-pandemic, in mainly for the highly educated, well-paid minority of the labor force [1, 2]. Therefore, in 2020, the institution of remote (remote) work, chapter 49.1 on the features of regulation of which was introduced into the Labor Code of the Russian Federation in 2013, reasonably underwent reform.

Legal regulation of remote labor in its various forms [3, pp. 49-58] was paid attention both in the Soviet science of labor law [4, pp. 98-101] and in modern Russian labor law science [5, pp. 51-59]. This applies to homework [6, pp. 248-261], and business trips [7, pp. 37-49], and remote work [8, pp. 91-106]. Separate aspects of remote work are considered in the works of representatives of non-legal humanities - sociologists [9, p. 40-46], economists [10, p. 9-17], psychologists [11, p. 118-122]. In recent years, there has been an increased interest in comparative legal research on the regulation of remote labour in various countries of the world, whose legal scholars also pay attention to remote work in their publications [12, p. 27].

The study of the latest legal regulation of remote work is an extremely popular direction in modern laborious science [13; 14,

pp. 59-65; 15]. But all research, following the legislation, is aimed primarily at the study of remote work as a way of work organization. In this article we will try to pay attention to the other side of remote work (it is better to say - remote work - as used not only in labor relations, but also in any use of human labor - independent or dependent). We will consider remote work as an integral part of the institute of labor protection, as a complex, intricate action on labor protection.

Comprehensive theoretical studies of the legal regulation of the modernization of the legal regulation of remote work as an integral part of the institute of labor protection in domestic legal science have not been carried out. It seems necessary to identify and designate the individual basic elements that could form the basis of such a study.

Research methodology. In the course of the study, general scientific methods of cognition and special scientific methods were used: historical, system-structural, formal-legal, and others. Among the methods of research, the author used the general foundations of formal logic (analysis, synthesis, comparison, etc.) and scientific research (study and analysis of sociological data on the use of remote work). The formulated proposals and decisions are substantiated, reasoned and evaluated taking into account the provisions and results achieved by the science of labor law. Conclusions and recommendations are based on a comprehensive study of doctrinal sources, normative legal acts, law enforcement practice, and empirical data.

Research highlights

The prerequisites for updating the institution of remote work as a form of labor organization were, first of all, the factors of economic development - the actual and widespread emergence of relations that make it possible

to more effectively carry out entrepreneurial activities with the involvement of workers who perform their labor function outside the location of the employer. This global trend has fully affected the domestic economy and was supported by the Russian legislator.

The second prerequisite for updating the institution of remote work was the development of technological conditions for its wide distribution - the deep digitalization of society, the deployment of an extensive network of modern telecommunications and the provision of a real possibility of its use by the final users of a digital product. The fact is that the institute of home work was generally aimed at servicing labor relations within the framework of the third and fourth technological modes, involving the production of certain material goods. The modern institution of remote work has become the response of society and the legislator to the challenges of the new fifth technological order, in which the emphasis has shifted to the production of intangible goods and services. The development of legislation on remote work in the conditions of its economic need, however, without the technological support of society, would only be an imitation of the legal regulation of the corresponding group of social relations that are not capable of spreading any widely.

It should be noted one more prerequisite for the renewal of the institution, related to the previous two - the adoption and wide approbation of legislation that allows remote registration of the emergence, change and termination of labor relations, maintenance of work books, registration of periods of temporary disability and entering information on pension experience to the bodies of the Pension Fund of Russia and etc. Not only was the introduction of the new norms preceded by a long experiment covering a wide range of employers, including the largest, which is becoming the norm for the Russian Ministry

of Labor and can only be welcomed, the practice of applying the existing norms on remote work has already become the subject of generalization and analysis.

Among the conditions under which the current legislation on remote work was updated, the following should be indicated.

First. The establishment of social partnership in the sphere of labor and the intensification of the application of its principles and mechanism in the practice of rule-making, the increasingly careful consideration of the opinions of representatives of workers and employers in the Russian tripartite commission for the regulation of social and labor relations when adopting regulations affecting labor relations by the Government of the Russian Federation. The constitutional reform for the first time in Russian history led to the consolidation of the concept of social partnership at the level of the Basic Law. It is applied in two articles of the amended Constitution: in Article 75.1, according to which “The Russian Federation ... ensures the balance of the rights and obligations of a citizen, social partnership, economic, political and social solidarity” and in subparagraph e 4, paragraph 1, article 114, which gives the Government of the Russian Federation the authority to ensure the implementation of “the principles of social partnership in the field of regulation of labor and other relations directly related to them.” In the context of a combination of the impact of the pandemic, digitalization and constitutional reform, the Government of the Russian Federation and the Ministry of Labor acted in the spirit of social and labor partnership as bipartisanship. But the domestic system of social partnership in the sphere of labor is based on the principle of tripartism, where the interests of the state and society as a whole are given an independent role, the same as the role of traditional social partners, which allows for a policy that

reflects the independent interests of society as a whole, and not just traditional ones, social partners and even contrary to the position of the latter, if there is a pressing public interest in this. Therefore, the objections of social partners are not always an insurmountable obstacle for the Government to adopt some socially significant rules, even if they directly affect the interests of employees or employers, and in the absence of the consent of the latter, if there really is an emergency public need for such rules under certain conditions. On the contrary, if the new rules concerned only traditional social partners, then the Government, having not found a compromise, justifiably refrained from introducing new legal regulation. In both cases, the actions of the government in themselves cannot be considered as a violation of the principles of social partnership, the leadership of which is prescribed by the Constitution of the Russian Federation [16, p. 249-261].

Second. Forced digitalization of public relations caused by the urgent transfer of labor and educational relations to a remote format and an experiment in Moscow to create artificial intelligence [17, p. 144-148]. The expansion of the use of remote work in particular and electronic services for obtaining public services in general has become a trend in legal regulation in a pandemic. Its most striking manifestation is the adoption of the Federal Law of June 8, 2020 No. 168-FZ "On the unified federal information register containing information about the population of the Russian Federation."

The third and most important circumstance, which led to a change in the Labor Code, allows us to talk about the dual nature of remote work and about remote work as part of the legal institution of labor protection in a narrow sense. The regime of self-isolation in the context of a pandemic, which at once expanded the range of social relations with the

use of remote work and significantly accelerated the correction of their legal regulation, as well as the practice of imposing restrictions at the federal, regional and municipal levels. The self-isolation regime has shown the ability to do without millions of workers and employees, in any case, directly in offices, often remote work completely replaces classical labor relations. Opportunity to study remotely - both at school and at an institute or college. The ability to do without the consumption of show content "live" - and musical, and theatrical, and sports. The admissibility of going less often or not going at all to shops and catering establishments, limiting yourself to a remote order for the delivery of relevant goods to your home, but it is better and less likely to leave your home, limiting communication to social networks and instant messengers. The self-isolation regime has shown the uselessness in the very near future of a number of professions and positions. In Russia, at the peak of the pandemic, 11 percent of the total number of workers activated remotely. Moreover, the most demanded was the combined type of employment, when the employee works at home and in the office for periods [18, p. 3-8].

The pandemic has shown the urgent need to implement new labor protection measures that correspond to the level of danger that has arisen.

National Security Strategy of the Russian Federation, approved the Decree of the President of the Russian Federation of July 2, 2021 No. 400, the preservation of the people of Russia and the development of human potential are named paramount national interests and strategic national priorities (subparagraph 1 paragraph 25, subparagraph 1 paragraph 26, section 3 of the Strategy). Among the goals of state policy in the social sphere (paragraph 33 of section 4), guarantees of the sanitary and epidemiological well-being

of the population are highlighted. The stated goals of the state policy can be achieved by ensuring the sustainability of the health care system, ready for new threats associated with the spread of infectious diseases, etc. (subparagraph 6 and paragraph 33 of section 4 of the Strategy), increasing real life expectancy, reducing mortality and the level of disability of the population, prevention of occupational diseases (subparagraph 4), sanitary and biological well-being of the population (subparagraph 9).

To solve these problems, organizational and financial efforts of the state are required, aimed at the development and implementation of infrastructure projects in the field of sports, education, upbringing, medicine, energy and public infrastructure, transport, constant monitoring of the situation in critical areas and an immediate response to detected negative factors and trends. etc. Such measures of the state, of course, will have an indirect impact on the labor and social rights of citizens - through the creation of additional jobs, the growth of incomes of all segments of the population, the release of parents' time from caring for children with the opportunity to devote it to productive work, etc. At the same time, they cannot be dispensed with, since they must create a material and organizational base, a foundation that will only allow to fully solve problems directly related to labor and social protection, with funding and organizational measures that are and will be very quickly and directly noticed and appreciated by citizens. The solution of these tasks will be regulated by legislation on the budget, energy, utilities, construction, traffic management, medicine, education, culture, sports, etc., but not labor and social welfare.

As for the tasks of labor legislation directly in preserving the health of the population employed in socially useful labor and

countering biological threats, first of all, this is the creation of methods, and standards of labor protection that meet modern challenges. The operational response of labor law was the addition of the labor protection institute with a set of rules for remote work as a way to ensure safe working conditions.

Article 312.7 of the Labor Code of the Russian Federation regulates the features of labor protection for remote workers. These features relate to remote work as a way of organizing work that, in the opinion of the employer, corresponds to the needs of production and is voluntarily used by the employer and employees.

Remote work as an institution of labor protection is applied in different ways from the point of view of the will of the parties to the employment contract.

In accordance with Art. 312.9 of the Labor Code of the Russian Federation, temporary transfer of an employee to remote work is possible in two exceptional cases:

1) in the event of a natural or man-made disaster, industrial accident, industrial accident, fire, flood, earthquake, epidemic or epizootic, and in any exceptional cases that endanger the life or normal living conditions of the entire population or part of it. In this case, the will of the employer is formed independently, on the basis of its own assessment of the exceptional cases listed in the law in terms of their threat to life or normal living conditions of the population or part of it, i.e., any group of people, including the collective of employees of this organization. This is the employer's right. Such a transfer is limited by the duration of the circumstances or cases that served as its basis;

2) when an appropriate decision is made by a state or local government body, the transfer of employees to remote work becomes no longer a right, but an obligation of the employer. This obligation arises for the

employer both in the event that he/she sees the above cases and circumstances that endanger the life or normal living conditions of the entire population or part of it, and when he/she does not see them. Disposition part 1, article 312.9 of the Labor Code of the Russian Federation is structured in such a way that a public authority or local government can base its decision on the above cases and circumstances, base the decision on a different wording, or completely refuse to explain the decision in its text. In itself, the decision of a public authority or local government gives rise to the obligation of the employer to temporarily transfer employees or part of them (depending only on the decision of the public authority or local government) to remote work. The decision of a public authority or local self-government may retain elements of optionality when making a decision by the employer, for example, when determining categories or specific employees, if the public authority orders to transfer part of the employees to remote work with or without selection criteria. The term of the transfer can be indicated in the decision of the state authority or local self-government when special measures are introduced (including by indicating the event) or in a separate decision on their completion, and then the employer must be guided by this decision in his/her actions to organize production and labor. Undesirable is the adoption of decisions by a state authority or local self-government that does not contain a deadline for the completion of the actions prescribed by them. Allowed by such acts, the dispositive behavior of the heads of organizations based on different interpretations of those named in part of the article 312.9 of the Labor Code of the Russian Federation of circumstances and cases and the assessment of the termination or continuation of their action, may become an obstacle to achieving the goals that gui-

ded the state or municipal authority when making a decision.

In case of temporary transfer to remote work at the initiative of the employer on these grounds, amendments to the employment contract with the employee are not required. At the end of the term for such a transfer (but not later than the end of the period of existence of the circumstance (case) that served as the basis for the employer to make a decision on the temporary transfer of employees to remote work), the employer is obliged to provide the employee with the previous job provided for in the employment contract, and the employee is obliged to start performing it (part 5 article 312.9 of the Labor Code of the Russian Federation).

At the same time, in both cases, the employer's behavior retains an element of optionality. If the specifics of the work do not allow the temporary transfer of the employee at the initiative of the employer, or the employer cannot provide the employee with the equipment, software and hardware, information security tools and other means necessary for the performance of his/her labor function remotely, the time during which the specified employee does not perform his work function, is considered downtime for reasons beyond the control of the employer and employee, with payment for this downtime in accordance with part 2 of article 157 of the Labor Code of the Russian Federation (if a larger amount of payment is not provided for by collective agreements, agreements, local regulations) (part 7 of article 312.9 of the Labor Code of the Russian Federation).

In both the first and second cases, the consent of the employee for such a transfer is not required (part 2 of article 312.9 of the Labor Code of the Russian Federation). Accordingly, the refusal of the employee can most negatively affect the continuation of labor relations with him/her and not on his/her initiative.

At the same time, the employee has the right to require the employer to provide remote work in accordance with the requirements of the law, agreements and local regulations.

As we have already noted, transferring to remote work is a complex set of measures taken by the labor protection institute. Therefore, the legislator imposes numerous requirements for its implementation. The employer provides the employee with the equipment, software and hardware, information security tools and other means necessary for the employee to perform his/her job function remotely, or pays compensation to the remote worker for the use of equipment, software and hardware, information security tools and other means owned or rented by him/her, reimburses the costs associated with their use, and also reimburses the remote worker for other expenses related to the performance of the labor function remotely. If necessary, the employer trains the employee in the use of equipment, software and hardware, information security tools and other means recommended or provided by the employer. For the period of temporary transfer to remote work at the initiative of the employer, the employee is subject to the guarantees provided for in chapter 49.1 of the Labor Code of the Russian Federation for a remote worker (parts 2, 6 of article 312.9 of the Labor Code of the Russian Federation).

We have already noted the growing influence of social partnership on labor relations. In this sense, remote work was no exception. According to part 3 of article 219 of the Labor Code of the Russian Federation, the employer, taking into account the opinion of the elected body of the primary trade union organization, adopts a local regulatory act on the temporary transfer to remote work, which he/she introduces to each employee. This local act should indicate:

- the circumstance that served as the basis for the employer’s decision to temporarily transfer employees to remote work;

- list of temporarily transferred workers;

- the period for which employees are temporarily transferred to remote work, not exceeding the period of existence of the circumstances that served as the basis for the employer to make a decision on a temporary transfer;

- the procedure for providing temporarily transferred employees at the expense of the employer with the equipment, software and hardware and other means necessary for them to perform their labor function remotely, payment of compensation for the use of equipment belonging to employees or rented by them and other means, reimbursement to employees of other expenses related to the performance of the labor function remotely;

- the procedure for organizing the work of employees temporarily transferred to remote work, including the working hours, periods of interaction between the employee and the employer within its limits, subject to the restrictions established by the internal labor regulations or the employment contract; the procedure and method of interaction between the employee and the employer, ensuring the identification of the parties to communication, the procedure and deadlines for the submission by employees to the employer of reports on the work performed, etc.

We see the prospects for national legal regulation of relations related to remote work in:

- further improvement of the legislation on remote work and, in particular, the electronic personnel document management that ensures it and the storage of information on labor relations in electronic form, a wide experiment aimed at approbation of which is currently being conducted by the Ministry of Labor of Russia;

– finalization and inclusion in the labor legislation of the norm on the “quiet regime” in labor relations, when outside working hours, the employer is not entitled to disturb employees excluded from the bill under consideration during the third reading. The assertion that the exemption from the bill of the right to off-line protects the rights of the teleworker, since such communication with the employer can be compensated by overtime pay [19], does not stand up to criticism. It would be interesting to look at the amount of compensation when the employer called the employee five times in the middle of the night, set tasks, listened to the report and kept within ten minutes in total;

– expanding the implementation of the principles and mechanism of social partnership in the practice of rule-making, in particular, in the event of termination of regulation of the specifics of labor relations in certain industries, activities and professions;

– extending the legal regulation of remote work to all categories of the precariat, as well as to all cases of the use of independent labor not under an employment contract (self-employed, working under a contract with platforms and aggregators, individual entrepreneurs who do not use hired labor, etc.). That is why in our article we actively used the concept of “remote work” as a broader, intersectoral and interdisciplinary concept in comparison with the concept of “distance work” enshrined in the Labor Code of the Russian Federation.

Conclusions

As part of the institution of labor protection, remote work has every chance of priority (along with social partnership, possibly resolving labor disputes with proper differentiation of the institution) distribution to new forms of dependent (conditionally dependent) labor that have arisen and are emerging in a changing society (platform, economically dependent self-emplo-

yed contractors, etc.), organization of production and labor during the transition to the sixth technological order. To do this, it is in these institutions that the maximum possibility of differentiating the legal regulation of the relevant relations should be introduced, as was done, for example, by the legislator, who proposed an extremely wide range of types of jurisdictional bodies and procedures for resolving individual labor disputes in professional sports [20]. A differentiated approach is also possible to other new or future forms of non-independent (conditionally non-independent) labor through the extension of labor legislation to individual legal relations and their blocks, including the norms regulating labor protection, social partnership and resolution of labor disputes, with fixing the features of legal regulation.

Bibliography

1. What 800 executives envision for the postpandemic workforce [Электронный ресурс]. URL: <https://www.mckinsey.com/featured-insights/future-of-work/what-800-executives-envision-for-the-postpandemic-workforce> (дата посещения - 26 января 2021 г.)
2. What's next for remote work: An analysis of 2,000 tasks, 800 jobs, and nine countries [Электронный ресурс]. URL: <https://www.mckinsey.com/featured-insights/future-of-work/whats-next-for-remote-work-an-analysis-of-2000-tasks-800-jobs-and-nine-countries> (дата посещения - 26 января 2021 г.)
3. ЗАКЛЮЖНАЯ, Н. В. *От надомной работы к дистанционной занятости: сходства и различия* // Законодательство, 2015, № 5.
4. ВИШНЯКОВ, А. К. *Договор о надомном труде как вид трудового договора* // Сов. государство и право, 1981, № 2.
5. КАРПЕНКО, Т. И. *Возможности применения надомного труда* // Женская занятость: проблемы и перспективы: Материалы научно-практической конференции. М., 1999.
6. МОЦНАЯ, О. В. *Современный надомный труд: проблемы в правовом регулировании* // Труды Института государства и права Российской академии наук, 2009, № 2.

7. ЕВДОКИМОВ, А. А. *Служебные командировки. Некоторые спорные вопросы* // Право и государство: теория и практика, 2008, № 5.
8. МАЛЫШЕВА, Ю. В. *Удаленная работа: актуальные проблемы* // Публичное право и управление: перспективы развития, М., 2018.
9. ОРЛОВ, В. Б., БУРАНШИНА, Е. И. *Удаленная работа как новая реальность трудовых отношений: анализ факторов предрасположенности к удаленной работе* // Вестник Югорского гос. ун-та, 2014, № 4.
10. КОНОБЕВЦЕВ, Ф. Д., ЛААС, Н. И., ГУРОВА, Е. В. и др. *Удаленная работа: технологии и опыт организации* // Вестник университета, 2019, № 7.
11. ТЕС, Б. Р. *Удаленная работа: психология трудовых отношений* // Синергия наук, 2019, № 37.
12. The flexibility by Atypical Labour Agreements. International project IP flexem. Lithuania. 2006. 215 p.
13. AVORNIC, G., CHUCHA, S. *Digital technologies: the state and prospects of legal regulation in the Russian Federation and the Republic of Moldova* (International Round Table overview // International scientific journal „Supremacy of law”, 2021, № 1, p. 173-181. DOI: <https://doi.org/10.52388/2345-1971.2021.1.17>).
14. КРЫЛОВ, К. Д., КУРЕННОЙ, А. М., АДАМС-ПРАССЛ, Д. и др. *Обзор дискуссионной сессии Петербургского международного юридического форума «Работник и работодатель: партнеры или попутчики?»* (21 мая 2021 г., Санкт-Петербург, Россия) // Трудовое и социальное право, 2021, № 3.
15. ЧУЧА, С. Ю. *Правовое регулирование дистанционной (удаленной) работы: вопросы теории и практики* (Обзор «Круглого стола») // Государство и право, 2020, № 4, с. 155-160. DOI 10.31857/S102694520014359-5.
16. CHUCHA, S. Yu. *Social dialogue in Russia: constitutionalization and expanding the legal content of the concept* // Law Enforcement Review, 2021, № 5(3), с. 249-261. [https://doi.org/10.52468/2542-1514.2021.5\(3\)](https://doi.org/10.52468/2542-1514.2021.5(3)).
17. ЧУЧА, Г. С., ЧУЧА, С. Ю. *Баланс частного и публичного в трудовых отношениях в условиях цифровизации* // Омские научные чтения – 2020: материалы Четвертой Всероссийской научной конференции, 2020.
18. ГОЛОВИНА, С. Ю. *Пандемия коронавирусной инфекции (Covid-19) как новый вызов трудовому праву* // Трудовое право в России и за рубежом, 2020, №.
19. ИСАЕВ, А. *Законопроект об удаленке направлен на защиту прав работников* [Электронный ресурс]. URL: <https://dumatv.ru/news/isaev--zakonoproekt-ob-udalenske-napravlen-na-zaschitu-prav-rabotnikov> (дата посещения - 7 декабря 2020 г.)
20. ДЗЮБАК, А. В., ЛЕТОВА, Н. В., СОКОЛОВА, Т. В. и др. *Обзор «круглого стола» на тему «Актуальные проблемы правового регулирования отношений в сфере спорта»* // Государство и право, 2021, № 6, с. 205-208. <https://doi.org/10.31857/S102694520015036-0>.
-