

Increasing the Quality of Working Life: Modern Labor Legislation's Strategic Task

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Abstract — The work is focused on the study of building up the argumentation on the improvement of working life quality, hence it is challenging for the development of the Russian Federation in general and as one of the goals of labor legislation. The survey is based on the economic aspect of the category “quality of working life”, supplemented by the characteristics of the category “decent work” postulated by experts in the field of labor law. The work contains the analysis of documents of the International Labor Organization (ILO), program documents of the Russian Federation, and examples of regional regulation of improving the quality of working life. The main result of the study is that the goal of improving the quality of working life should be enshrined in the article 1 of the Labor Code of the Russian Federation as one of the major goals of labor legislation. It also substantiates the need of correcting certain labor law institutions, such as social partnership institutions, employment contracts, training and additional professional education of workers, working time and rest time, and labor protection.

Keywords — *quality of working life, decent work, sustainable development, labor productivity, labor relations, labor law institutions*

I. INTRODUCTION

The introduction of the category “quality of working life” in the labor legislation concepts is based on its traditional terminology from economics. Having emerged as an economic category, in its development it went through several stages. Thus, I.V. Tsygankova identifies the following stages: pre-classic (until the end of the XIX century), classic (since the 1890s), post-classic (from the 1920-30s). In this case, the author emphasizes that the actual concept of the quality of working life, and not its individual elements, appeared only in the 1970s, when a person began to be considered as an independent creative individual able to realize its full potential existing in the optimal conditions for doing this [1]. Particularly, at the 1972 conference, devoted to the problem aspects of labor relations, the quality of working life was proposed to be understood as one’s organization activities aimed at meeting the needs of its employees via creating mechanisms, which the

employee utilizes to fully participate in the decision-making process that determines his working life [2]. According to M.S. Yakusheva, the evolution of the concept of the quality of working life should be divided into four stages: embryonic (until the 1890s), quantification (from the 1890s to the early 20th century), conceptual (1920-1990) and integrational (since 1999). It is noted that the ILO’s adoption of the concept of decent work in 1999 marked the beginning of the integration stage and is the peak of the development of the concept of the quality of working life [3].

To date, economists have not only failed to reach an agreement on the definition of the concept of “quality of working life”, but have not yet decided on which indicators (elements) it constitutes, and have not developed uniformed standards for their assessment. For example, Russian scientists V.F. Potudanskaya, I.V. Tsygankova, E.A. Kipervar mention the conditions ensuring the quality of working life including decent remuneration for work, occupational health and safe working conditions, ensuring labor democracy and legal protection, creation conditions for professional growth [4]. V.D. Roik names job satisfaction in terms of organization, maintenance, remuneration, work and rest schedules, and vocational training as measured indicators of the quality of working life; guaranteed safe working conditions, including the working environment and normal labor intensity; accessibility to social insurance systems - pension, medical, industrial accidents and occupational diseases [5]. O.V. Zonova dwells on calculation of the integral index to assess the quality of working life, which includes 29 indicators, which are divided into economic, socio-labor and environmental [6]. E.L. Andreeva, T.V. Polkova offer 15 indicators divided into five blocks: employment and unemployment, wages and incomes, qualifications and productivity, safety and organization of labor, enterprises and investments [7].

In foreign literature, the psychological and sociological aspects of the “quality of working life” category are well studied. For example, R. Rusu identifies the following elements of the quality of working life to be assessed: working

conditions, professional relations, professional development, wage rates, working time, protection from social risks, the provision of leisure and childcare services. At the same time, he emphasizes that these factors contribute to increasing the happiness of employees, and hence their efficiency, as well as provide a balance between work and personal life. R. Rusu also notes the following indicators: the quality of working life, cognitive factors, health and well-being, work context, job performance, physical factors, psychosocial factors, skills, learning and career prospects, social relations, violence, harassment. All these factors are investigated including discrimination, the organization of labor intensity, the balance of life, financial security and working hours [8]. According to R. Walton, the quality of working life includes eight factors: adequate and fair compensation; safe and healthy working conditions; the possibility of human development; opportunity for career growth; social integration of labor; constitutionalism; work and quality of life; social significance [9].

All the above-mentioned problems of the lack of a common understanding of the category “quality of working life”, the presence of various approaches in determining its constituent elements and indicators ought to be solved by economics scholars. However, it seems that labor law as a leading industry, “responsible” for the well-being of the working population, should offer its own understanding of what constitutes the quality of working life as a legal category. In addition, the global task of labor law becomes not just the traditional protection of the employee as a weak side of the employment relationship, but the creation of favorable conditions for improving the quality of his working life, considering both the growing needs of an individual and the public interests of the state and business.

II. MATERIALS AND METHODS

The methodological framework of the research is based on the universal, general scientific methods, as well as some special methods (system-structural, formal-legal, comparative-legal, historical ones).

III. INTERNATIONAL DIRECTIONS OF QUALITY OF WORKING LIFE INCREASING: THE NEW APPROACHES

The basis for the formation of the concept of quality of working life is a category of decent work, which appeared in the international circulation in 1999 and is largely based on the concept of quality of working life, developed in economics. Thus, according to the International Labor Organization (hereinafter - the ILO), decent work is an effective work in decent and safe conditions, giving the employee satisfaction, the ability to fully demonstrate their abilities, skills and skills, work with decent pay and fair distribution of the fruits of progress, labor, when the rights of workers are protected [10]. A more comprehensive definition of decent work and its interpretation as a path connecting economic and social goals is contained in the ILO’s pilot program for implementing the concept of decent work. It refers to work that brings adequate income and leaves time for other parties to life, provides reliability family, respects human rights, gives voice and opens the way for social integration [11].

As S.S. Khudyakova rightly observes, “from the analysis of official documents it follows that the ILO pays attention mainly to the economic content of decent work concept, the rationale that decent work provides higher labor productivity, leads to increased competitiveness of enterprises, and improved working conditions, labor relations and employee satisfaction with work” [12]. Thus, firstly, decent work was supposed to be achieved through sustainable economic growth in general and productivity growth. This agenda has been maintained throughout all subsequent years in the reports of the ILO Director General.

However, now we can talk about the change at the international level of the “perspective” on labor rights in general and the right to decent work in particular, expressed in shifting human rights value priorities from the sphere of economic and physical security of a person to the sphere of subjective well-being and “working life” [13].

The final document of the United Nations Conference on Sustainable Development in 2012 states emphasized that sustainable development is focused primarily on people, and in this regard, the world should be built on the basis of principles of justice, equality and inclusiveness. These principles make it necessary to work towards ensuring sustainable and inclusive economic growth, social development and environmental protection, and thereby achieving the common good [14]. A little later, in 2015, the UN General Assembly adopted the Sustainable Development Agenda until 2030 for the Transformation of Our World, which, as its eighth goal, was to “promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all” [15]. At the same time, paragraph 27 of the Agenda focuses on the fact that ensuring a decent work for all will be promoted by a dynamic, sustainable, innovative, people-centered economy. The opportunity to get a decent job will continue to provide a decent level of human existence, which “is assumed as its guide the high-tech potential of human production, rational use of natural resources in order to generate sustainable incomes, distribution and redistribution of income based on the principle of social justice, not allowing excessively contrasting social difference between the wealth of some and the poverty of others” [16].

Twenty years after the adoption of the decent work concept, on January 22, 2019, the report of the Global Commission on the Future of the Labor Sector, entitled “Work for a brighter future”, was published. In its core there are identified rather and qualitatively different from the previous strategic directions of activity of the subjects of social dialogue. If earlier they were determined by pointing to specific, most problematic institutional aspects of labor and interrelated relations, now they are in order from private to general divided into the following three groups depending on the object of investment:

- increase investment in the development of human abilities, which implies the achievement of the universal right to lifelong learning, support for people in transitional periods of time, addressing gender equality, and ensuring universal social protection from birth to old age;

- increase investment in labor market institutions, namely: the establishment of a universal labor guarantee, which includes all four fundamental rights of an employee, as proclaimed in the 1998 ILO Declaration, as well as basic working conditions (decent wages, limitation of maximum working hours, labor protection), strengthening control over working time, strengthening social partnerships, the introduction and use of technologies (robotization and production automation, artificial intelligence) in the interests of decent labor;
- increasing investment in decent and stable employment, including encouraging investment in the most significant areas of the economy (care economy, green economy, rural economy and digital economy), changing the business incentive structure through the development of long-term business planning, investment relations, including in the field of pension insurance, fiscal policy in the formation of additional indicators of human development and its well-being and their inclusion in the calculation of GDP.

The main idea underlying the report is the need to create all the necessary conditions for a person to develop and improve the quality of working life, providing him with opportunities to maximize his own potential in new forms of the economy - green economy, digital economy, and care economy. The orientation of modern states on the development of public goods, respect for nature as opposed to rampant consumption and economic growth at any cost, reduction of social stratification in society are all goals that humanity must set itself in modern conditions and which can make the development of the world community less conflicting and more sustainable [17]. Thus, the change in the general direction of the development of the world of work from a focus on increasing productivity to a focus on the development of the person and the revival of the social contract was officially designated. This means that each person must be aware of the importance of his contribution to the achievement of economic growth, and in return he receives protection from the risks caused by the functioning of a market economy and respect for labor rights. It is assumed that a human-centered agenda should be implemented through the joint efforts of the social partners by developing a national strategy for the future of the world of work aimed at implementing the recommendations outlined in the report [18].

That is why we consider it possible to agree that the present category of decent work is considered as “a multidimensional concept encompassing economic, political and legal phenomena, creating conditions for efficient and productive labor, contributing to the achievement of social, cultural and technical progress in order to socially protect workers and families. All this contributes to the development of the essential human powers, the disclosure of the creative potential of each” [19], but we consider it possible to add that the goal of decent labor should be not just the protection of workers and their families, but the improvement of the quality of the working life of the worker.

IV. RUSSIAN FEDERATION’S EXPERIENCE IN LEGISLATIVE REGULATION OF QUESTIONS, CONSIDERING INCREASING QUALITY OF WORKING LIFE

Let us analyze how the international trend of increasing interest in the qualitative aspects of human development today is implemented in various strategic planning documents of the Russian Federation.

According to Edict 683 of the President of the Russian Federation “On the National Security Strategy of the Russian Federation” (December 31, 2015) [20], it was recognized that the long-term improvement of the quality of life of Russian citizens is among the top national interests and priorities of Russia. At the same time, the strategic goals of ensuring national security in this area are: the development of human potential, meeting the material, social and spiritual needs of citizens, reducing the level of social and property inequality of the population, primarily due to the growth of its income. In the sphere of labor, the improvement of the quality of life is planned through the creation of highly efficient workplaces, as well as favorable conditions for increasing social mobility, quality of work, its decent pay, support for socially significant employment, and decent pension provision. In addition, the reduction of informal employment and the legalization of labor relations, the increase in investment in the development of human capital are considered as measures within the framework of state socio-economic policy.

In later Edict 208 of the President of the Russian Federation “On the Strategy of Economic Security of the Russian Federation for the Period until 2030” (May 13, 2017) [21], the goal of state policy in the field of ensuring economic security is also to increase the level and improve the quality of life of the population. One of the main areas public policy is called human development. The objectives of the state institutions for the implementation of this direction are:

- improving the system of general and professional education on the basis of modern scientific and technological achievements;
- development of the system of continuous education, including using the mechanisms of public-private partnership;
- development of the national qualifications system, improvement of qualification requirements for employees, informing citizens about new and popular professions;
- professional orientation of citizens;
- reduction of poverty and inequality of the population;
- promotion of effective employment of the population and mobility of labor resources;
- improvement of mechanisms for ensuring environmental safety and preserving a favorable environment.

In our opinion, the approach to human development expressed in 2017 is not fully linked to the concept of quality of working life, because it does not take into account such

important factors as the creation of conditions that make work attractive and responding to the interests of the person, ensuring satisfaction from the operations and functions.

Edict 204 of the President of the Russian Federation “On the national goals and strategic objectives of the development of the Russian Federation for the period up to 2024” (May 7, 2018) [22], adopted a year later, aims to raise the standard of living of citizens, create comfortable conditions for their living, and opportunities for self-realization and disclosure of the talent of each person. However, improving the quality of life of Russian citizens remains beyond the strategic objectives of the state. It is important to separate the concepts of “standard of living” and “quality of life”, simultaneously including the working life of citizens.

Also, a good part of attention is drawn to the fact that the above-mentioned documents are dealing specifically with the quality and standard of living, but not with the actual quality of the working life of Russian citizens. We consider this to be an undoubted omission of our State, because the consolidation of strategic directions in the program documents regarding the improvement of the quality of working life would allow a comprehensive approach to the regulation of this issue and would not be limited in the dungeons of individual factors that make up its content. At the same time, there is also a positive experience in developing programs devoted to the quality of life in general and the quality of working life. A veritable example is Edict 45-UG of the Governor of the Sverdlovsk Region (January 29, 2014) “On the Concept of Improving the Quality of Life of the Population of the Sverdlovsk Region for the Period up to 2030 - “New Quality of Life to the Population of the Ural Region” [23]. It aims to ensure achieve a high level of satisfaction of the population of the Sverdlovsk Region and find an approach to solving problems in the sphere of labor quality.

Firstly, for the first time in a regulatory act, the definition of the quality of working life (labor) is clarified as the conditions of manufacturing life, allowing considering the degree of realization of the interests of the employee and the use of his intellectual, creative, moral, organizational and other abilities. The Concept of Sverdlovsk Region emphasizes the quality of working life as it is expressed in increasing the satisfaction with work, and the desire to improve skills.

Secondly, the novelty of the Concept is the large-scale involvement of civil society in improving the quality of life in the Sverdlovsk Region.

Thirdly, the principles of the development and implementation of the Concept are defined, among which there are:

- social efficiency, social participation, social partnership;
- the Concept presents an interdepartmental approach to improving the quality of life, improving working conditions, life and leisure of the population, the formation of a healthy lifestyle;
- the complexity, which implies the coverage of measures aimed at improving the quality of life of all aspects of human activity;

- preventive focus of measures to improve the quality of life of the population, involving the implementation of measures based on analysis, forecast of the situation and the prevention of possible negative processes in human life;
- the presence of direct and feedback between the population and the authorities;
- using the results of scientific research, experience of international cooperation in order to develop optimal approaches to solving problems of improving the quality of life.

In our opinion, federal authorities should use a positive example and consolidate the concept of improving the quality of life, including the quality of working life, in the form of a national project (program). The national projects (programs) are currently in place approved by the Presidium of the presidential Council for strategic development and national projects on December 24, 2018, to produce the positions of the Edict of the President of the Russian Federation of May 7, 2018. They will also contribute to improving the quality of the working life of citizens, but they will not solve this problem comprehensively.

For example, the national project “Demography” should provide an increase in healthy life expectancy up to 67 years; creation of conditions for the employment of women with children; the development and implementation of a program of system support and improving the quality of life of older citizens; a healthy lifestyle system of motivation of citizens.

The national project “Education” aimed at creating a system of continuous upgrading professional knowledge and learning new professional skills by working citizens, including the acquisition of competencies in the field of the digital economy by everyone.

The national project “Labor productivity and employment support” is the basic for the sphere of labor. It has, above all, a strategic goal to increase labor productivity at medium and large enterprises of the basic non-commodity sectors of the economy at least 5 percent a year. This is supposed to stimulate the introduction of advanced management, organizational and technological solutions to increase productivity and modernize fixed assets through the provision of tax preferences; reduction of regulatory and administrative constraints. They impede productivity growth, as well as the replacement of obsolete and unproductive jobs; the formation of a system of methodological and organizational support for increasing labor productivity in enterprises; the formation of a training system aimed at teaching the basics of improving productivity, including through the use of digital technologies and platform solutions. An employee in this program is again considered as a means of achieving an economic goal and not as an investment object in order to increase the efficiency of the economy.

Finally, in the absence of an appropriate national project it seems that the state program “Promotion of employment”, updated at the end of 2018 [24], should be aimed primarily at the working life quality improvement. In fact, it is limited to the creation of legal, economic and institutional conditions that ensure the development of a flexible, effectively functioning

labor market, allowing to overcome the structural mismatch of demand and supply for labor, reduce the share of illegal employment, increase motivation to work and labor mobility.

Thus, the state directs its efforts to maintain social stability in society, rather than to improve the quality of working life of Russian citizens. In particular, the Russian Federation Government believes that the employment promotion of the population must be achieved by the development of public employment service which must fulfil the functions of an effective intermediary between employers and people seeking work.

This goal can be reached by the development of professional mobility of the population, which, first of all, is carried out through the creation of a national system of qualifications, including the development and updating of professional standards, the organization of the basic center of vocational training, retraining and advanced training of workers, the introduction of a system for assessing professional qualifications. The purpose can be fulfilled by prevention of industrial injuries and occupational diseases; by improvement of working conditions; by formation of a preventive model of occupational safety management.

V. CONCLUSION

In order to implement the tasks, set by the state in the area of improving the quality of working life, we consider it necessary to make appropriate amendments to the Labor Code of the Russian Federation as a basic regulatory legal act regulating relations in the world of work. First of all, as stated in one of the goals of labor legislation (Article 1 of the Labor Code of the Russian Federation), it is necessary to reinforce the improvement of the quality of the working life of citizens, thereby emphasizing the importance of the employee's personality to the state. In addition, many labor law institutes will require a certain inevitable modernization.

There must be the institution of social partnership, which should be more oriented towards the inclusion of workers in the management of an organization. Another institution of an employment contract should be aimed at ensuring the mobility of labor resources.

The institute of training and further professional education of employees aims to implement the concept of continuing education throughout their working life, to promote the professional development of employees. Institutions of working time and rest time must make it possible to provide optimal conditions for achieving harmony between the work and personal life of workers. Institute of Labor Protection's task is to provide safe and healthy working conditions.

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